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**Solving the 'State's Dilemma'  
the dynamics of exit, voice and loyalty in Zimbabwe (2000-2008)**

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*Solving the 'State's Dilemma':*

*The dynamics of exit, voice and  
loyalty in Zimbabwe (2000-2008).*

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## Abstract

Zimbabwe's crisis was not just about values or votes, but about institutions: their performance, outcomes and about the distributional advantages that flowed from them. During this period, institutional rules were fiercely contested, and the referendum result was an important expression of preferences for institutional alternatives that could generate different political outcomes. The contestation was also about institutional alternatives and legacies, in other words, about institutional stability or change. Institutions matter, for they are the 'rules of the game' (North 1990: p. 3), and they have important distributional consequences (Knight 1992). This dissertation examines the strategic institutional reforms in the print media and commercial agriculture sectors, as well as the issue areas of freedom of expression, assembly and movement, political violence and impunity.

The 2000-2008 period of Zimbabwe's history was unique, for ZANU-PF faced both unprecedented domestic opposition and the challenge of four national elections (parliamentary and presidential) (the 'hurdles') during this eight-year period (the 'hurdle race'). Together with ZANU-PF's own decisions to participate in the electoral processes, these realities created a very specific collective action problem for the senior members of ZANU-PF. Known as the 'State's Dilemma', it is the challenge of retaining needed support for the *status quo* in the face of collective dissent, when the interests of the state's supporters may align otherwise (Lichbach 1995: pp. 256-258).

Using the theoretical framework of rational-choice institutionalism, this dissertation contributes to the Zimbabwean literature through its identification of, and explicit focus on, ZANU-PF's collective action problem. It reveals the importance of strategic institutional reform in altering the dynamics of exit and voice, with their implications for stability or change (Hirschman 1970, 1978, 1986). It thus contributes to the explanation of the outcomes of this period. The dissertation's findings are of interest to the larger study of liberation movements.

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It all started with a phone call on the ferry across Maputo Bay...eight years later, I can't believe I've done this!

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## List of Acronyms

AIPPA	Access to Information and Privacy Act
CCJPZ	Catholic Commission for Justice and Peace in Zimbabwe
COHRE	Centre for Housing Rights and Evictions
CPJ	Committee to Protect Journalists
EISA	Electoral Institute for Sustainable Democracy in Africa
ESAP	Economic Structural Adjustment Programme
FANRPAN	Food, Agriculture and Natural Resources Policy Analysis Network
GAPWUZ	General Agricultural and Plantation Workers Union of Zimbabwe
GMB	Grain Marketing Board
GOZ	Government of Zimbabwe
HR NGO Forum	Zimbabwe Human Rights NGO Forum
HRW	Human Rights Watch
IBA	International Bar Association
ICG	International Crisis Group
IFPRI	International Food Policy Research Institute
ILO	International Labor Organisation
IMF	International Monetary Fund
IOM	International Organisation for Migration
JAG	Justice for Agriculture
LRF	Legal Resources Foundation
MDC	Movement for Democratic Change
MDC-M	Movement for Democratic Change - Mutambara faction
MDC-T	Movement for Democratic Change - Tsvangirai faction
MISA	Media Institute for Southern Africa

MMPZ	Media Monitoring Project of Zimbabwe
MP	Member of Parliament
MPOI	Mass Public Opinion Institute
NCA	National Constitutional Assembly
NGO	Non-Governmental Organisation
ODA	Official Development Assistance
PF	Patriotic Front
PHR	Physicians for Human Rights
POSA	Public Order and Security Act
SADC	Southern Africa Development Community
SPT	Solidarity Peace Trust
UDI	Unilateral Declaration of Independence
UNDP	United Nations Development Programme
ZANU	Zimbabwe African National Union
ZANU-PF	Zimbabwe African National Union-Patriotic Front
ZAPU	Zimbabwe African People's Union
ZBC	Zimbabwe Broadcast Corporation
ZCTU	Zimbabwe Congress of Trade Unions
ZDF	Zimbabwean Defense Forces
ZEC	Zimbabwe Electoral Commission
ZIMPREST	Zimbabwe Programme for Economic and Social Transformation
ZNLWVA	Zimbabwe National Liberation War Veteran's Association
ZPP	Zimbabwe Peace Project
ZRP	Zimbabwe Republic Police

## **Chapter One: Introduction, Design and Methodology**

This dissertation is about the collective action problem faced by ZANU-PF during 2000-2008. The 'State's Dilemma' is the challenge of retaining support for the status quo in the face of collective dissent, when the interests of the state's supporters may align otherwise (Lichbach 1995: pp. 256-258 citing Olson 1990: p. 15). The dissertation offers explanatory value through its identification of, and focus, on ZANU-PF's collective action problem, through its attention to the role of strategic institutional reform and the dynamics of exit and voice in easing this problem.

In situations of declining satisfaction, those actors who are dissatisfied have three core action-choices: to exit, to stay loyal, or to give voice (Hirschman 1970, 1978 and 1986). The interactions between these three action-choices are known as the dynamics of exit and voice. This dissertation, using a rational choice institutionalist framework, argues that strategic institutional reforms altered institutions and the dynamics of exit and voice in Zimbabwe during this period, and thus are important additional explanatory elements to the outcomes of this period. The Zimbabwean literature has not previously explicitly focused on this collective action problem, the dynamics of exit and voice (Hirschman 1970, 1978, 1986), nor on the role of institutional reform in easing the same.

The period 2000-2008 was an extraordinary time in Zimbabwe's history. The senior members of the Zimbabwe African National Union-Patriotic Front (ZANU-PF), faced unprecedented opposition and mobilisation by Zimbabweans. They also competed in four nation-wide elections (two parliamentary, two presidential) during

this eight-year period. Each of the elections was a 'hurdle' in the eight-year long 'hurdle race'. The first of these 'hurdles', the parliamentary elections of June 2000, were held only a few months after Zimbabwe's historic referendum – a national referendum in which ZANU-PF's draft constitutional reforms were rejected by many Zimbabweans. The results of the various elections are presented in Table 1.

The political opposition was led by the Movement for Democratic Change (MDC), and supported by many other civic actors working to improve democratic governance and economic performance in Zimbabwe. The MDC's political platform, anchored in the issues of democratisation, economic reform, respect for human rights, the rule of law and the fight against corruption (Saunders 2000: pp. 102-103) resonated widely with many Zimbabweans. The MDC benefited, particularly in its first years, from its roots within the Zimbabwe Congress of Trade Unions (ZCTU), which had already engaged with the Government of Zimbabwe (GOZ) on issues of economic policy and demonstrated its mobilising capacity through national strikes. Morgan Tsvangirai, the ZCTU's Secretary-General, would step down to become the MDC's first leader (Dansereau 2003: pp. 180-184; McCandless 2011: p. 49). The ZCTU was also important in the 1997 formation of the National Constitutional Assembly (NCA), joining the Zimbabwe Council of Churches and other civic organisations to launch this Assembly (Raftopoulos 2009: p. 206; McCandless 2011: pp. 40-49).

By 1997-1998, Zimbabweans' demands for change were coalescing around the need for constitutional reforms that would constrain the powers of the Executive Presidency, introduce electoral reforms, increase media freedoms as well as address the land redistribution issue (Saunders 2000: pp. 92-95; McCandless 2011: pp. 40 citing

Raftopoulos 2000, Kagoro 2001). While the NCA was leading civic processes, the ZANU-PF government set up its own *Constitutional Commission* that produced the draft constitution that was voted upon by Zimbabweans. This is discussed further below in chapter five.

The February 2000 rejection of the draft constitution in the national referendum had multiple implications, but *from an institutionalist perspective*, the following are noteworthy. First, the referendum results, and indeed the processes, were important expressions of preference, by many Zimbabweans, for institutional alternatives that could generate different political outcomes. Both the NCA's consultation processes and the referendum campaign had demonstrated Zimbabweans' interest and engagement in questions, and the issues of institutional reform. Importantly, the issues of institutional reform had been placed on the public agenda, by citizens. Following the referendum victory, these were unlikely to be removed from the agenda, until change or progress was achieved – or blocked.

Second, the debates, the consultations and the referendum campaign, appear to have reminded the members of the ZANU-PF regime, and many Zimbabweans as well, of the agency that belonged to Zimbabweans' as citizens and electors. The NCA's education and consultation efforts mobilised concern and awareness, amongst many Zimbabweans, about the democratic consequences of the institutional rules of Zimbabwe's *Constitution*. These policy processes were important: for their awareness-raising, their legitimating and mobilising effects, and for the agency that they created (Dorman 2003). By creating opportunities and space for the expression of the action-choice of voice the NCA and its allies and supporters had contributed to altering the

future expectations of many Zimbabweans, both within ZANU-PF, the civic and political opposition, and Zimbabwean society.

Third, these processes, the participatory approaches by the civics, and the representativeness of the trade unions, had been contrasted against ZANU-PF's more closed structures of decision-making and its more authoritarian approach. Through their outreach they educated and engaged, and influenced public opinion. They contributed to a de-legitimisation of the regime (Compagnon 2011: p. 91), at a time when its support was already weakened due to economic pressures.

Fourth, the referendum result generated important uncertainty for the members of the ZANU-PF regime. Uncertainty, and the strategic management of the same, is discussed further below, as it is important to collective action. The members of the ZANU-PF regime faced two different types of uncertainty: one related to the actor's future status within a group and another related to institutional alternatives and outcomes (Knight 1992: p. 45). This latter uncertainty is directly related to the choices, outcomes and consequences of institutional reform. At this point it is worth noting that the uncertainty faced by the members of the ZANU-PF regime, arose because of the inter-dependency within the 'State's Dilemma' as a collective action problem. In this case, the members of ZANU-PF, were dependent on the choices of Zimbabwean voters, once the election was called. This inter-dependency is discussed further below.

Zimbabweans were surveyed, in late 1999, about their views on democratic governance. This public opinion data is particularly revealing, eighteen years later, given our knowledge of the events that followed. The Zimbabweans surveyed indicated that "regular elections" (86 percent), "freedom of speech" (82 percent),

competing political parties (82 percent) were "absolutely essential" or "important" to their understanding of democracy, along with high ratings for progress on several socio-economic rights (Chikwanha-Dzenga *et. al.* 2001: p. 10 Table 2). This, and other public opinion data analyzed for this dissertation, confirmed Zimbabweans' preferences for a democratic system of governance – preferences that highlighted the extent of the challenge facing ZANU-PF as they sought to solve the 'State's Dilemma'.

Against a backdrop of worsening economic conditions, a spreading HIV/AIDS pandemic, and declining democratic governance, this 1999 survey also revealed that "...nearly seven out of ten Zimbabweans felt that their President does not bother about their fate or care what they think" and nearly 60 percent felt the same about Parliamentarians (Chikwanha-Dzenga *et. al.* 2001: p. 24). By 2002, the youthfulness of Zimbabwe's population was striking: fifty percent of the population had been born following independence in 1980 and only thirty-six percent of all Zimbabweans had lived under Rhodesian rule (IOM 2009: p. 28 Table 6 citing Central Statistics Office 2004, author's calculations). As discussed further below, this public opinion and demographic data suggested a very fragile base of loyalty to the members of the governing ZANU-PF regime.

Institutions matter, for they are the 'rules of the game' (North 1990: p. 3) that structure the relationships between actors. Institutions may offer important coordination gains, but they also have important distributional consequences (Knight 1992). This phase of the contestation over institutional rules in Zimbabwe was significant, but earlier contestations had also occurred under Rhodesian rule, and

during the liberation struggle. Indeed, contestation over the distributional consequences of institutional rules was a central feature of both of those periods.

Institutional rules also matter for their contribution to explaining outcomes (Shepsle 1989: p. 135). Institutional rules emerge and are "...communicated through the claims and actions of rational actors... Rather than focusing on collective goals, self-interested actors want institutions that produce those social outcomes that are best for them as individual strategic actors" (Knight 1992: p. 38). Knight's argument re-positioned rational choice institutionalism as a theoretical framework that was relevant to a broader range of collective action challenges, such as those that help define the distribution of power within a state.

Institutional rules may also magnify or ease the collective action problems faced by each actor. This dissertation provides specific examples of how institutional reforms, strategically undertaken by the members of the ZANU-PF regime, eased their own challenge, and/or exacerbated the MDC's dilemma (the 'Rebel's Dilemma', defined below) and altered the dynamics of exit and voice. The prospective nature of rules meant that their effect would continue to be felt at each future 'hurdle' or election. This analysis adds explanatory value to our understanding of the outcomes during this unique period of Zimbabwean history.

Electoral success is a collective action problem. A "change in an unpopular regime (or its fundamental reform)" is a public good because no one can be excluded once it is achieved (Pfaff 2006: p. 9). But electoral success is a specific type of collective action problem, one that is a 'step-good', for it "...can be provided only in



discrete steps rather than over a continuous range of levels" (Hardin 1982: pp. 4, 59-91). As a collective action challenge, I would add that it also has aggregated (e.g. across constituencies) characteristics and a time-bound nature. These both generate, or exacerbate, the coordination problems, raising the hurdle 'higher' for both the members of the governing regime and for members of the political and civic opposition.

A second, related collective action challenge is, the 'State's Dilemma'. This is the specific collective action challenge faced by members of a governing regime and it is *their challenge of sustaining their needed support in the face of collective dissent when the interests of the state's supporters may align otherwise* (Lichbach 1995: pp. 256-258 drawing on Olson 1990: p. 15). In other words, it is the challenge of aligning the interests of Zimbabweans to the interests of the members of the ZANU-PF regime. In Zimbabwe, this Dilemma arose, because of ZANU-PF's own decision to participate in the elections, for the Dilemma is own of inter-dependency. Their decision to participate in the elections, despite their authoritarian character, *made them dependent on the electoral choices of Zimbabweans*. The 'step-good' cannot be achieved unless the 'State's Dilemma' of aligning support in the facing of competing interests is solved.

The 'State's Dilemma' as a collective action problem existed in every round of Zimbabwean elections, but it was not until the 2000 referendum and the subsequent elections that it truly became visible. General satisfaction with ZANU/ZANU-PF's performance in the initial years meant that there was no real significant challenge of aligning voters' choices with ZANU-PF's interests. In 1987, the Zimbabwe African People's Union (ZAPU) had been integrated into ZANU, to form ZANU-PF (Clapham 1996: p. 204) and the remaining opposition was weak and fragmented (Sithole 1999:

pp. 206-211). In the 1990s, as voter turn-out dropped, and Zimbabweans became less engaged with their democracy, the collective active challenge started to emerge. However, by the late 1990s, as discussed below, it was a time of significant economic dissatisfaction and many Zimbabweans, desired change. And a new, well-formed, political opposition emerged. The Dilemma existed at each election, but it was the scale of support, and the strength of the political opposition, that combined to make this collective action dilemma visible during this Zimbabwean period.

The opposite 'Dilemma' was faced by the MDC, as the leading political opposition. It is the 'Rebel's Dilemma' and it is the challenge of the mobilisation of dissent. Actors face uncertain public benefits and certain private costs, which incentivises inaction rather than action and participation in protest or dissent (Lichbach 1995: pp. 15-16). In light of the risks, and the uncertain outcomes, it is striking the extent to which Zimbabweans mobilised for changes to their institutions and to the outcomes (political, economic, and social) that they produced.

Collective action problems are central to outcomes during periods of contestation, for the "...[t]he relative capacity for solving and creating, diminishing and magnifying collective action problems decides the outcome of the game" (Lichbach 1995: p. 258). During this period of contestation in Zimbabwe, the members of the ZANU-PF regime faced their most significant collective action challenge in the post-independence period, and they adopted multiple strategies, including institutional reform, to retain their political support for the *status quo*. The strategic management of collective action problems is at the heart of the political contestation between regimes

and their opponents (*ibid*: pp. 22-28). The focus of this dissertation is on the regime's strategic use of institutional reform to help ease the 'State's Dilemma'.

This eight-year period was marked by political, social and economic turbulence. Despite this, strategic institutional reforms were undertaken, and their effects contributed to the outcomes of this period of contestation. Like the collective action problem itself, these intentional reforms became more visible because of the use of theoretical lens of rational choice institutionalism, collective action theory, and the dynamics of exit and voice (Hirschman 1970, 1978, 1986) as analytical frameworks. These frameworks, and this analysis, contributes to the understanding this period of the Zimbabwean crisis and have added to the diversity of theoretical frameworks already present within the literature on Zimbabwe.

Rational-choice institutionalism is a theoretical framework that focuses analytically on decision-making, rules, collective action challenges, uncertainty, and how "...existing institutions structure individual and aggregate choice" (Levi, Cook *et al.* 1990: p. 15). It goes beyond traditional rational-choice theory, to recognize that the strategic choices of actors (individually, in organisations or in groups), are influenced, and shaped by, the institutions themselves but maintains the assumption of rationality (i.e. reasoned action that is goal-focused).

The "institutionalism" of rational-choice institutionalism is particularly important in the Zimbabwean context, for the contestation in Zimbabwe during this period was not just about values or votes, but about institutions: their performance or outputs (for example, access to health services), their outcomes (e.g. democratic

consolidation, or not) and about the distributional advantages that flowed from them (e.g. political power, private economic gain). During this period, the contestation was also about institutional alternatives (e.g. a new constitution, a stronger, less presidential democracy), and about the institutional legacies of the colonialism, in other words, about institutional stability or change. The strategic choices and decisions made by actors may influence the development of, or evolution in, institutions, through their impacts on institutional stability or change (Knight 1992). It was for these reasons that this theoretical framework was chosen, rather than pure rational-choice theory, or other alternative frameworks.

Strategic institutional reforms also altered the dynamics of exit and voice, and thus contributed to the outcomes of this period. In situations of rising dissatisfaction, there are three core action-choices available to individual or collective actors – to exit, to give voice or to remain loyal (Hirschman 1970, 1978, 1986). This dissertation discusses each of these action-choices, as well as the two mechanisms of information and sanctions (i.e. penalties) that help actors to formulate their expectations of other actors (Knight 1992). Mobilisation, inducements (i.e. incentives, rewards and penalties), and veto or other powers, are amongst the products of institutional reform, that may contribute to aligning expectations, and therefore choices and outcomes. These are discussed throughout the following chapters. Lichbach argued that "[t]he state, recognising a dissident's exit/voice option, uses accommodative and repressive response strategies to control the dissident's choice" (Lichbach 1995: p. 24).

The literature on Zimbabwe has given a great deal of attention to ZANU-PF's political narrative, and indeed argument and narrative are important political tools (Majone 1992; Stone 2002; 2012). With the core themes of war and resistance, sovereignty, liberation and race, the narrative was a re-telling of Zimbabwe's history (Ranger 2004), and a sophisticated political framing, of ZANU-PF's liberation struggle. In this dissertation, I will call it the 'patriotic narrative'. This term recognises its origins in Ranger's 'patriotic history', but, from a public policy perspective, acknowledges that it also served as a **causal story**, that is, a narrative that selects "...some aspects of perceived reality and make them more salient [important or visible]...in such a way as to promote a particular problem definition, causal interpretation, moral evaluation..." (Stone 2012: pp. 252-53 citing Entman 1993: pp. 51-8).

Casual stories, are one approach, amongst many, to defining political problems and therefore also to framing issues. Both narrative and issue-framing are important strategies, albeit non-institutionalist strategies, which may help to address collection action problems through their influence on choices. For example, and as was the case in Zimbabwe, they can influence public opinion, may help to frame choices, and may also affect mobilisation. In terms of the 'State's Dilemma', this patriotic narrative differs, in substantive content, source, role, and target, from the action-choice of voice. These differences are discussed further in Chapter three. Chapter four discusses the challenge of retaining loyalty, i.e. "...[postponing exit] in spite of dissatisfaction and qualms" (Hirschman 1970: p. 104) and the differences between the action-choice of loyalty and ZANU-PF's concept of loyalty which was also communicated through this patriotic narrative.

But ZANU-PF's patriotic narrative was not deployed alone – it was accompanied by institutional reform. The narrative's effects arose not only from its own normative power, but also its framing of issues, and choices. It was supported by institutional reforms that amplified its message through the state-owned media that carried the public statements by senior members of the regime, and it was also supported by institutional reforms that suppressed the voices of dissent. The regime's distributional advantage in the broadcast sector, including crucially rural radio, communicated this patriotic narrative widely and extensively. However, the rise of private print media was not only reducing their distributional advantage, but also, the private media was increasing the availability of information, including about alternative choices and institutional outcomes, as discussed further in chapter three.

Institutional reforms also targeted the freedoms that underpin the action-choice of 'voice' and its aggregation. The action-choice of voice is the expression of dissent, and therefore differs from the patriotic narrative introduced above. It is defined as "... any attempt at all to change, rather than to escape, from an objectionable state of affairs, whether through individual or collective petition [to internal leadership] .... or through various types of actions and protests, including those that are meant to mobilise public opinion" (Hirschman 1970: p. 30). The analytical developments to this action-choice are discussed further in chapter three.

The freedoms of speech, association, assembly and of movement are institutional rules, all guaranteed in Zimbabwe's *Constitution*. These freedoms, from the perspective of the 'State's Dilemma' exacerbated ZANU-PF's collective action challenge, for they facilitated mobilisation and the aggregation of collective voice. Institutional reforms that narrowed permissions, increased penalties and noticeability, and selected actors, were adopted. As discussed in chapter three, these institutional reforms reduced the effectiveness of the action-choice of voice – and intensified the MDC's mobilisation challenge.

Restrictions on the freedoms of movement and assembly were not only imposed through institutional reforms to formal rules, but also through the development of informal rules. These new informal rules differed from the simple non-enforcement of the formal rules, and I identify the following specific differences: how they structure the relationships between actors, including via new roles; the new permissions, entitlements or prohibitions that they may create or impose; and, the different decision-

making fora where these informal rules are decided and enforced. These points will be discussed further in chapters three to five.

This introduction has identified the specific collective action challenge faced by ZANU-PF, and introduced the importance of institutional rules, in influencing choices, coordinating expectations and influencing outcomes. Inducements, i.e. incentives, rewards and penalties, are strategies that contribute to aligning choices and outcomes with collective goals (Stone 2002: pp. 265-283). This dissertation, particularly chapter four, examines how the institutional reforms introduced by the ZANU-PF regime altered the incentives, rewards and penalties facing Zimbabweans. These alterations had consequences for the dynamics of exit, voice and loyalty. To encourage, or reward, electoral loyalty incentives (e.g. food aid, impunity) were offered.

In situations **of inter-dependency, such as the State's Dilemma**, the risk of free-riding will arise, and with it the challenge of monitoring individuals or actors. Free-riding occurs when an actor benefits from the "...provision of a collective good without having participated in its production..." (Olson 1971: p. 91). Free-riding poses risks to group success (Hardin 1982: p. 98), so if incentives or rewards are offered, monitoring will occur. Demands for contributions and/or demonstrations of loyalty may also be made. In Zimbabwe, the members of ZANU-PF both introduced reforms (e.g. in the media sector) that increased the noticeability of actions, and the penalties for non-compliance. Demands for demonstrations of loyalty, for example, by members of the police or by rural voters were also made. These are discussed further below, particularly in chapter four.



Chapter five will discuss one of the most controversial features of the Zimbabwean crisis during this period, i.e. the land occupations and the acquisition of Zimbabwe's commercial farms. The occupation and acquisition of the private white-owned commercial farms, and the associated political violence, were amongst the events that generated considerable international media and diplomatic attention to the crisis in Zimbabwe. Beyond the headlines, they were a significant political and economic moment in Zimbabwean history. The land occupations and seizures continued for several years, albeit with declining intensity. They would have (and continue to have) profound impacts for Zimbabwe's future social, political and economic development as well as its governance and identity.

The land issue came to a head from the late 1990s, for several reasons, and was catalysed further by the referendum results of February 2000. Facing significant electoral pressures, the 'State's Dilemma', and in advance of the June 2000 elections, members of the ZANU-PF regime, needed to demonstrate a credible political commitment on this central issue. After twenty years of independence, and despite some progress in land settlement, Zimbabweans were however, sceptical about the commitment of the ZANU-PF regime to this issue. Supporting the land occupations, i.e. "...the forcible takeover of land (outside the law)" (Matondi 2012: p. xi) and, later, the 'fast-track' acquisition of the farms, demonstrated commitment to sceptical voters, mobilising support through visible action. It has also become apparent that these occupations permitted a selective incentive (i.e. the material benefit of land) to be accessed, and/or allocated to, many current or future supporters in rural Zimbabwe –as well as to elite members of the regime.

While much has been written on these land occupations and seizures, this dissertation contributes to the literature through its argument that the reform of the institutional rules governing property rights altered the dynamics of exit from one of 'voluntary' to 'forced' exit. The institutional reforms were thus essential enablers for the land seizures. Forcing exit reduced transaction costs, allowing for the acceleration of land acquisition, and helped to suppress and/or punish the voices of dissent within the commercial farming sector.

### **Structure of the Dissertation:**

The dissertation is divided into two parts: the first part (chapters one and two) introduces the core argument of the dissertation itself, its theoretical foundations and the design and methodology of this study. The second part of the dissertation (chapters three through five plus a synthesis section) explores specific institutionalist elements that contributed to altered dynamics of exit and voice, and thus contributes to the explanation of the political outcomes of the period. Chapter six brings together the findings from this research and offers concluding analysis.

In Chapter three, the action-choice of 'voice' is discussed. As the expression of dissent, it is, therefore, a sub-set of the larger public debate that was occurring within Zimbabwe. The chapter analyses the strategic institutional reforms that were introduced by the members of the governing regime to limit the private print media, and to restrict the four freedoms most important to 'voice' and therefore collective mobilisation: the freedoms of expression, of assembly, of association, and, of movement.

The intentional reforms undertaken to restructure the relations within the print media sector resulted in narrowed permissions, an increased noticeability of action and stronger penalties for non-compliance. Information flows matter, in situations of strategic interdependency, and to collective action. Information that is unavailable or unreliable negatively affects decision-making, while new information may generate uncertainty. Information problems exacerbate the challenge of coordinating both expectations and actions. Restrictions on the flow, availability and reliability of information all help to resolve collective action problems by "...concentrat[ing] their attacks...on the dissident's supplies or input sources" (Lichbach 1995: p. 49 citing Leites and Wolf 1970: pp. 76-78).

Chapter four examines the strategic deployment of inducements by the members of the regime. Selective incentives and rewards (e.g. food aid, impunity and protection from political violence) or penalties (e.g. targeted political violence) are all important means of aligning choices to achieve preferred outcomes. Inducements were a critical part of ZANU-PF's response to their challenge of retaining electoral loyalty. They were needed in order to help resolve the 'State's Dilemma', with its focus on sustaining the *status quo*. The chapter also discusses the concept of free-riding, and the measures taken, by members of the ZANU-PF regime, to reduce it. Free-riding has important negative consequences on the prospects of collective success, and therefore needed to be addressed, particularly in 'step-good' collective action problems, and when collective action problems are time bound.

Chapter five discusses the 'forced exit' of farmers and farmworkers in the commercial agriculture sector, enabling the governing regime to acquire private lands

for re-distribution and resettlement. The visible actions on the land issue, helped to demonstrate political commitment to rural Zimbabweans, mobilising support needed to ease ZANU-PF's collective action problem. This discussion contributes to the literature by arguing that the reforms to the institutional rules governing property rights in the commercial agriculture sector, altered the dynamics of exit from one of 'voluntary' to 'forced' exit. These institutional reforms were thus essential enablers for the land seizures. They reduced transaction costs as well as the cost of exit, allowing for the acceleration of land acquisition. As the reforms shifted the commercial farmers' choices from 'voluntary' to 'forced exit', the reforms served first as a source of 'voice' (Hirschman 1970: p. 34), and then increasingly as a deterrent, as penalties were applied to punish the voices of dissent within the commercial farming sector. Forced exit demonstrated commitment to sceptical rural voters through visible action (including through the regime's support for the land occupations). It also permitted a selective incentive (i.e. the material benefit of land) to be acquired for re-settlement, or in some cases re-allocated as a reward, including to senior members of the regime.

Across chapters three through five of this dissertation, the analysis draws specific attention to the powers of actor selection, of initiative and compulsion and the permissions and prohibitions altered or created through intentional, institutional reforms. The identification of these powers and their effects on the dynamics of exit and voice is an advance on both Hirschman and Lichbach, for neither author discussed explicitly these powers.. Lichbach identified multiple possible solutions to collective action problems, some of which are discussed in this dissertation but he did not identify

the potential of these powers to take away the *choice* of exit or voice from one actor by allocating them to another.

The synthesis section focuses on the elections of March 29th, 2008. These elections saw significant electoral gains for the MDC and losses for ZANU-PF. The synthesis examines this election through the lens of the dynamics of exit, voice and loyalty, drawing upon the discussion in preceding chapters regarding institutional reforms and their effects on incentives, penalties, free-riding and uncertainty.

This dissertation also discusses the strategic management of uncertainty, i.e. intentional reforms to reduce uncertainty pertaining to choices, decisions and/or outcomes. Uncertainty is an important analytical factor emerging from rational choice institutionalism, given its effects on the evaluation of choices, decisions, and the expected actions of other actors. This dissertation specifically discusses two types of uncertainty: the first, about an actor's future status *within* a group and, the second, the uncertainty about institutional alternatives and outcomes. This dissertation argues that institutional reforms helped to reduce uncertainty for members of the ZANU-PF regime.

## **Research Design**

The previous sections of this introductory chapter have presented a short overview of the dissertation's main arguments, its theoretical foundations, and the

structure of the dissertation. This section of the dissertation discusses the origins of this research project and its influence on the design of the research problem. The following section then discusses the research methodology.

This research was prompted by an initial interest in the development of targeted or 'smart' sanctions, such as asset freezes or travel bans that are applied against specific actors (e.g. individuals, private entities) in the Democratic Republic of the Congo, Belarus or Zimbabwe or other states. These sanctions are often deployed by a range of actors, including the European Union. As the policy instrument of sanctions evolves away from comprehensive sanctions to targeted or 'smart' sanctions against specific actors (Cortright and Lopez 2002; Hufbauer *et al.* 2009: pp.131-141), this author believed that there was also a need for a shift in the unit of analysis away from the state and towards the responses of the individuals and groups *within* the sanctioned regime. This more micro-level of analysis, brings with it a focus on rules and decision-making, as well as the dynamics of groups and collective action.

This initial interest and thinking quickly made visible the *domestic* collective action challenges in countries under targeted sanctions, including the challenges to constrain other domestic actors with whom members of governing regimes interact. This turned this dissertation away from its origins towards the issues of domestic collective dissent, collective action, the role of institutions and the 'State's and Rebel's Dilemmas' (Lichbach 1995).-

The initial observation of a perceived gap relating to institutions in the sanctions literature influenced the research design for this dissertation in three ways – although, ultimately the scope of the dissertation does not address, at all, the issue of targeted

sanctions. First, this identification of a gap in the sanctions literature contributed to the selection of rational choice institutionalism as the theoretical framework, and thus to the development of the dissertation's focus on collective action.

Rational choice institutionalism, as a theoretical framework, links individual decision-making to institutions, thus differing from pure rational choice theory. In turn, the strategic choices decisions made by actors may influence the development or evolution of institutions, through their impacts on institutional stability or change (Knight 1992). This theoretical framework is discussed in greater depth in the next chapter and is a clear part of the research value of this dissertation. By selecting this theoretical framework, this dissertation contributes to the analytical diversity that already exists in the body of literature on Zimbabwe, including the literature which assesses this crisis period.

The selection of Zimbabwe as the case study also arose from this initial research interest on targeted sanctions. It was selected following a winnowing of potential cases drawn from the set of the EU's sanctions episodes, as discussed further in the research methodology section below. Third, the scope of research on Zimbabwe was initially defined by the 'five fields' of institutional reform demanded by the EU, i.e. the areas in which the EU expected to see strengthened compliance: "...the end of politically motivated violence; free and fair elections; freedom of the media; independence of the judiciary, [and the] end of illegal [land] occupations" (Council 2003: Annex). These 'five fields' were identified through a documentary review and content analysis of the EU decisions sanctioning the senior members of the Zimbabwean regime. This initial analysis foreshadowed the interactions within the

Zimbabwean crisis of the action-choices of exit, voice and loyalty (Hirschman 1970, 1978, 1986).

Given the subject matter and the framework of rational-choice institutionalism, a qualitative, rather than quantitative approach was selected. Qualitative research allows for the assessment of a wide range of documentation covering the political events that unfolded, including reports that documented specific actions taken to reform institutions and to alter the penalties and incentives faced by other actors. Each theoretical lens provides “...a perspective that shapes the types of questions asked, informs how data are collected and analysed...” as well as the “implications made from the study” (Creswell 2009: p. 235), and specific lines of enquiry were developed using the core elements of rational choice institutionalism.

Therefore, the lines of enquiry asked the following questions:

- what were the collective action dilemmas faced by members of the regime, and by their opponents?
- what were the sectoral rules that structured the interactions between members of the regime, between the regime and its supporters or its opponents?
- how did the reforms to these rules affect the collective action dilemmas faced (e.g. were veto-players created, agenda-setting powers provided)?
- did these reforms alter the incentives and penalties faced by actors? If so, how?
- did these reforms reduce uncertainty, if so for whom?
- did these reforms alter transaction costs, if so for whom?
- what were the consequences of these reforms in terms of the dynamics of exit and voice?



These questions were incorporated into the research methodology, as discussed further below.

The research design of the dissertation, i.e. the "...implicit or explicit logic that provides the framework for the research and guides the research strategy" (Burnham *et al.* 2008: p. 38) faced two major challenges: first, to develop a structure for the research and the dissertation itself that was theory-driven; and, second, to identify the sources of data and existing research, recognizing that the events had already passed. To meet these challenges, a multi-step and multi-method process was used, described in more detail in the research methodology section below:

The breadth of the literature review undertaken reflected the challenge of demonstrating explanatory value about this unique period in Zimbabwe's history through the frameworks of rational choice institutionalism and collective action theory. The literature review allowed both existing findings and elements of the research dialogue on the Zimbabwean crisis to be assessed. This helped to advance this researcher's own understanding and analysis, and the results of this literature review are presented in the next chapter.

The literature review also made explicit the core theoretical elements of rational choice institutionalism – that institutions help to resolve collective action dilemmas, reduce transaction costs, influence and aggregate choices, and/or maintain or alter distributional advantage; the assumption of rationality (i.e. reasoned action that is goal-focused), and the use of rules that communicate incentives, commitments and penalties (sanctions) to other actors. Throughout the drafting of the dissertation efforts were

made to evaluate the data, findings and theory against each other, with a view to producing a robust analytical narrative.

These theoretical elements guided the assessment of the research data, based on the lines of enquiry above. They also guided the development of the argument in support of this dissertation's findings and its contributions to the literature. With Knight's (1992) work on institutional emergence and change and Olson's work on collective action (1971) as initial theoretical foundations, the dissertation is grounded in the work of two important authors in the fields of institutionalism and collective action. The literature review was conducted in order to identify points of commonality, divergence and gaps in the literature. Due attention was given to the issues of group dynamics, veto-players (Tsebelis 2002) and agenda-setting powers, as discussed further in the next chapter.

As the analysis for this dissertation deepened, three other authors took prominence in the institutionalist argument that has been developed. These are: Stone (2002) and her focus on policy processes and their paradoxes; Lichbach's 1995 study on the paradoxes of the 'Rebel's Dilemma' and the 'State's Dilemma', and his identification of 'solutions' to these specific collective action challenges; and, Hirschman's (1970, 1978, 1986) studies on the three action-choices of exit, voice and loyalty that are available to actors in situations of declining economic or policy satisfaction.

The latter two authors, Lichbach and Hirschman, were particularly influential because of their direct relevance to the Zimbabwean case. Given the dissatisfaction of many Zimbabweans' with their political and economic governance, there was

unprecedented collective mobilisation, and therefore there was contestation over collective action solutions. Voice was being expressed, the maintenance of electoral loyalty was being sought, exit (both voluntary and forced) was occurring.

A final component of the literature review concerned Zimbabwe itself – its history, political dynamics and economic development, and other accounts of this crisis period. This literature has been written from a variety of theoretical perspectives, including a more limited engagement with institutionalism (Compagnon 2011). Given that rational choice institutionalism is a new theoretical perspective in the Zimbabwean literature, the dissertation understandably focuses on this approach and its findings. However, additional attention has been paid to identify the points of commonality and difference with other accounts.

### **Research Methodology:**

The above section on research design has been transparent in explaining the starting point for this research project (targeted sanctions) and how it helped to influence the design of the research. It set out the specific lines of enquiry that guided the research, with these lines of research enquiry anchored in the core elements of rational choice institutionalism and collective action theory. This section shall discuss the methods of data collection, analysis and interpretation utilized in this research project.

Qualitative research involves the collection, analysis and interpretation of data, as well as the linking of analysis and theory through an interactive process. It seeks to

provide explanatory value, acknowledging that competing views and perspectives do exist. This debate on explanation and theory is the basis for a professional, public dialogue amongst researchers. Each researcher brings his or her own history, including relevant professional experience, as well as a worldview and biases that reflect both the researcher's intellectual development and socio-economic and cultural contexts. These worldviews and biases are important to a research project, for example, in terms of generating the initial research interest, in the framing of the research problem, and to the understanding, and thus the explanation, of the research topic. The realities of location, resources, time, networks and language skills may also further influence the design and methods of research projects.

Together these generate the challenge of reflexivity, i.e. reflecting "...how [a researcher's] biases, values and personal background, such as gender, history, culture and socio-economic status, shape their interpretations formed during a study" (Creswell 2009: p. 233). Conscious efforts in the analysis must be made to address this challenge. Despite the challenge of reflexivity, the global research community continues to investigate questions of interest, taking necessary steps to acknowledge and/or to overcome actual or perceived bias. This research continues to cross not only borders (real or perceived) but also the boundaries of research disciplines, ultimately contributing to a richer debate and to advancing understanding.

Reflexivity requires that the researcher be explicit as to the worldview the researcher is applying to the research question. Creswell defines a worldview as "...a basic set of beliefs that guide action" (2009: p. 6 citing Guba 1990: p. 17). This dissertation uses rational choice as its worldview, with rational choice defined as

"...individuals act[ing] in pursuit of various goals and interests and [they] choose their actions in order to satisfy those interests most efficiently" (Knight 1992: p. 16-17).

This worldview does not ignore that research occurs within specific settings including social, cultural, historical and/or institutional, but argues that the choices and decisions made within these contexts will satisfy an actor's interests efficiently. The next chapter, discusses the various ways institutions are defined, including those based on norms as well as those defined as rules.

Rational choice institutionalism is a theory of rational actors, making consequentialist choices, influenced by the expectations of other actors within an institutional context that helps to reduce uncertainty and/or maximise the gains from exchange or cooperation (Hall and Taylor 1996: p. 12). Although Hindmoor criticizes rational choice theory, arguing that actors may be bounded in their rationality, i.e. actors may not consider the full range of choices, nor the "...full range of consequences of any one choice" (Hindmoor 2006: pg. 16 Box 1.4), in this worldview actors nevertheless are still acting in the pursuit of their goals and interests. Collective action is outcome-focused, and intentional institutional reform is also undertaken to advance or achieve specific outcomes. Rational-choice with its consequentialist view is an appropriate worldview for this specific dissertation.

### **Case-study Selection:**

A key step in this research process was selecting a country to be the basis of the case study that would allow for an in-depth exploration of events, within a defined timeframe and activities (Creswell 2009: p. 13 citing Stake 1995). As discussed, this

research project began with an initial interest in targeted sanctions, particularly those of the European Union (EU). Four criteria were applied sequentially to a list of countries and entities subject to targeted sanctions by the European Union<sup>1</sup> developed by this researcher. These four criteria are: the selection of states rather than non-state actors; internal vs. cross-border conflict; the inclusion of restrictive measures imposed against individual actors; and, eligibility for ODA assistance.

The first criterion excluded non-state actors, such as Al-Qaeda, that were subject to EU sanctions, reflecting the limited institutional context of some of these non-state actors. The second criterion concerning the internal versus cross-border nature of the conflict was then applied. Focusing on those countries where the dynamics of the conflict were internal (e.g. Zimbabwe, Haiti) rather than those conflicts that directly engaged actors from neighbouring countries (e.g. the Democratic Republic of the Congo), offered a good alignment with the theoretical framework, by allowing a research focus on the domestic dynamics of institutional reform. A third criterion, to remove those countries that did not have restrictive measures, i.e. targeted sanctions against specific named actors, was then applied. Finally, to incorporate EU sanctions decisions under the *Cotonou Agreement*, a fourth criterion, that the country must be a recipient of Official Development Assistance (ODA) was applied to the remaining list of countries.

Following the sequential application of these four criteria, from an initial list of twenty countries, seven remained. Haiti was the country which had been under

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<sup>1</sup> A consolidated list of countries and entities subject to EU sanctions and restrictive measures may be found at: <[http://eeas.europa.eu/cfsp/sanctions/consol-list/index\\_en.htm](http://eeas.europa.eu/cfsp/sanctions/consol-list/index_en.htm)> [Accessed 17 September 2011].

sanctions for the longest period, while Guinea and Moldova were the most recently sanctioned (less than two years since the initial sanctions at the time of the assessment). After a preliminary review, Guinea and Moldova were set aside due to the limited material available. Somalia and Zimbabwe were a second small cluster within the set, as both were sanctioned by the EU during the same 2000-2002 period, while Ivory Coast and Belarus formed a third cluster, both being sanctioned in 2004. The diverse socio-economic differences between Belarus and the Ivory Coast made this cluster less interesting than the Somalia and Zimbabwe cluster, as Somalia and Zimbabwe were both aid-dependent countries in Sub-Saharan Africa.

It was Zimbabwe that emerged as an interesting potential case study. First, the Zimbabwean case attracted international attention, not only for the events in Zimbabwe itself, but also due to the early imposition of targeted sanctions by the EU. For many, what was at stake was the compliance, by the members of the ZANU-PF regime, with both domestic and internationally-agreed institutional frameworks (e.g. the rule of law, freedom of expression), in support of democratic governance, while for others the institution of sovereignty and the right of a state's leaders to chart the country's future was under challenge by the international community.

To note, to avoid a real, or perceived, conflict of interest, between her professional duties and her research activities, Haiti was removed from the list of possible case studies as the author was, during the timeframe of this research project, professionally employed on files that involved Haiti. The author, a mid-career professional, was also, over twenty years ago, temporarily resident in Zimbabwe and engaged in international development issues. This experience, although it provided her

with an initial exposure to Zimbabwean affairs, it was this research project which deepened her analytical understanding of the country's political dynamics. She did not, during the timeframe of this research project have any professional contact with Zimbabwe.

## **Analytic Narrative**

This dissertation is an analytical narrative. This research method brings together the theoretical elements of rational choice institutionalism with the historical data and research on the crisis in Zimbabwe. The dissertation is one that is both narrative, in that "...it pays close attention to stories, accounts and context," but also analytic for its "...explicit and formal lines of reasoning, which facilitate both exposition and explanation" (Bates et al. 1998: p. 10). Each of chapters three through five, examines a specific element (or elements) of rational choice institutionalism and collective action and analytically assesses the impact of these elements on the dynamics of exit and voice.

In alignment with the analytical narrative method, a single case study is discussed, and the previous section explained the selection of Zimbabwe as the case study. By examining a specific case, there is an opportunity to "...examine the choices of [actors] who are embedded in specific settings" recognizing that they "...possess preferences and expectations; they are not isolated, but rather are locked in patterns of strategic interdependence" (Bates *et al.* 1998: p. 9). Drawing upon the results of the literature review, and the events in Zimbabwe, this dissertation identified the specific collective action challenge, with its inter-dependencies, that faced by the members of



the ZANU-PF regime (the 'State's Dilemma'). It also identified specific choices and decisions made to advance institutional reforms. The analysis within this dissertation also discussed the implications of these reforms for the dynamics of exit and voice.

Several criteria for evaluating analytic narratives have been identified, including: the alignment between facts and the assumptions, between the data and the implications of the findings, the logic of the conclusions *vis-à-vis* the premises and the value of the theory as compared to other explanations, and to its broader applicability (Bates *et al.* 1998: pp. 14-18). These criteria were kept in mind throughout the writing of the dissertation. The dissertation has been structured around the core theoretical elements of rational choice institutionalism, and the lines of enquiry and analysis also reflect the same.

The dissertation offers explanatory value through its identification of, and focus, on ZANU-PF's collective action problem, created by the realities of diverging interests between their supporters and the members of the ZANU-PF regime, and their decision to participate in the electoral processes. These findings are more broadly applicable to the study of other liberation movements in the Southern African region, including to their challenges of both constitutionalism and institutional reform.

Analytical narratives often use game theoretical modelling to help study and explain collective action problems. However, this dissertation does not include this modelling in its examination of the Zimbabwean crisis, due to several considerations. First, game theory is often used to test specific causal mechanisms and variables, through the application of statistical analysis and modelling. However, this dissertation is, if you will, positioned further 'upstream', for it has first made a contribution to

discussion of the Zimbabwean crisis by explicitly identifying the reality of ZANU-PF's collective action problem, something which has not previously been discussed within the literature.

Secondly, this analysis has discussed the importance of strategic institutional reform, and the management of collective action dilemmas as influences on outcomes. Specific powers, i.e. of actor selection, and the power of initiative have been identified as critical to the dynamics of exit and voice. The identification of these powers may usefully serve as hypotheses for future research, but other case studies are needed to fully confirm these powers as causal mechanisms with broader applicability. Thirdly, game-theory is most often modelled under the definition of institutions as 'equilibria', a theoretical approach to defining institutions (discussed in the next chapter) which was not accepted for this dissertation.

Finally, game theoretical modelling requires the availability of accurate statistics and data, yet the availability of statistical data on the Zimbabwean crisis is very limited, often of poor quality and due to the hyper-inflation, accurate economic data and comparisons is very difficult (UNDP 2008: p. 6). Within the scope of this dissertation, three types of relevant data regularly appear in the grey literature (see below): data on political violence, election results, as well as public opinion data. The latter with its statistical validity within specified margins of error is particularly welcome and has been incorporated into the dissertation.

## **The Literature Review and Documentary Analysis:**

With Zimbabwe selected as the case study, the literature review started by developing a list of keywords that could be used to identify relevant materials through the available databases. These keywords covered several theoretical areas, (e.g. institutionalism, particularly its rational-choice variant; theories of policy reform; collective) as well as Zimbabwe-specific areas (e.g. history, actors) and key authors (e.g. Raftopoulos, Chan, Kriger). Each of these areas were adjusted, and often expanded, as the literature review advanced. Some areas of reading were added as the research project progressed and gaps were identified (e.g. the history of Zimbabwe's media sector, land reform efforts, patriotic history). Approximately twice a year, throughout the research period, the database searches were revisited to identify new scholarship and to incorporate, as appropriate, this research into the literature review and the analysis within the dissertation.

An inductive approach to data analysis was used throughout the research process, allowing for the collection and organisation of data to enable researchers “...look for and explain patterns that they find in it” (Hindmoor 2006: pg. 2). This approach is relevant for what is *de facto* now a historical case study, as the events of this unique period in Zimbabwe's history began more than fifteen years ago. As Bates et al. (2000: p. 698) argue, without a specific defined ‘game’ to model a case study against, the inductive method is most appropriate in analytic narratives.

While keywords helped to form the initial basis for the literature review, the data gathered required the classification, analysis and interpretation of each of the

materials identified. Various filing structures (e.g. issue area) and working documents (e.g. chronological charts and/or tables of key events or reforms) were developed to both track the information and the analysis. More advanced tools were developed as the research progress, for example to cross-reference the materials to the core theoretical elements (e.g. uncertainty), or to link different data sources about a specific event (e.g. the adoption of the *Public Order and Security Act* (POSA)) together. These tools helped to identify commonalities, gaps and/or points of divergence. These tools facilitated the interpretation and brought meaning to the information collected (Creswell 2009: p. 186 citing Rossman and Rallis 1998: p. 171).

This inductive approach was also interpretative, in that the inquiry was conducted by a single researcher who “...draws meaning from the findings of data analysis” (Creswell 2009: p. 230). The interpretation was influenced by the theoretical framework, for the research lines of enquiry were anchored in rational choice institutionalism but was also challenged by the views and approaches of other researchers. Although induction has been criticized as a research method due to the researcher's engagement in selecting the data and in interpreting it (Blaikie 2004: p. 243 citing Popper), it remains in use as a social science method.

Research records captured the keywords and definitions of the core terms used throughout this dissertation. Decisions to halt specific research avenues (e.g. to no longer pursue the role of sanctions as a policy instrument) and to initiate new ones that proved more fruitful (i.e. the framework of exit, voice and loyalty) meant that new keywords and definitions were added throughout the process. For example,

Hirschman's concept of voice resulted in new keywords (e.g. mobilisation, public opinion, narrative) being identified and integrated into the research process. This iterative process helped to both advance the analysis and build coherence with the core elements of the theoretical framework.

Of note, this research project began at a time when the Zimbabwean crisis had already been unfolding for over a decade. This timing is significant, for it allowed for the research period to be established based on known events. The period of study begins in 2000, with its constitutional referendum and elections providing an obvious 'start' date and the establishment of a new 'government of national unity' in 2008 (GPA 2008) serving as the logical 'end date'. This 2008 event has also been used by other authors (e.g. Raftopoulos and Mlambo 2009; Bratton 2014: pp. 73-93) as a defining 'break point' in discussions of the Zimbabwean crisis.

The timing of the research project also affected the choice of research methods, for the events had already transpired. The challenge for the research project was thus to contribute explanatory value to the patterns and dynamics that arose from *the decisions already taken*, the reforms that had already been made and the events that had already occurred. Many, but certainly not all, decisions are reflected in the reforms to institutions that were made during this period.

Institutional reforms and actions are the outcomes of decisions taken. The detailed analysis of secondary materials is often how strategic behaviour is revealed (Bates *et. al*: 2000: p. 698) and thus methods of historical research were thus appropriate for use in this analytical narrative that examines events of nearly 20 years ago. The project benefited from a wealth of primary source material (e.g. legislation,

public opinion data, and newspaper accounts) as well secondary sources; both grey literature (e.g. human rights reports) and published research by both Zimbabweans and other externally-based researchers.

Concurrent with the formal literature review, and to help examine the patterns and dynamics within the crisis, this research project examined four other documentary sources: local newspapers, civil society reports, public opinion polling data, and specific pieces of Zimbabwean legislation. Each type of document provided a specific value in the research process, summarized here and discussed below. The newspapers, through the method of chronological review, provided an overview of the crisis, as it was reported to Zimbabweans daily. The civil society reports provided an important documentary record of the *effects* of specific events and/or decisions on specific actors, and at times, on specific institutions (e.g. rule of law, freedom of expression).

The public opinion polling data now serves as an important record of the views of Zimbabweans as expressed at the time. Finally, the legislative *Acts* provide a formal record of the rules and of the reforms decided. Collectively these materials, produced by a range of Zimbabwean and international actors, provide quantitative and qualitative sources of data that contribute to the quality of analysis and argument within this dissertation. Specific pieces of evidence and quotations from these sources are embedded throughout the dissertation. Each of the methods of review for these documentary sources is now discussed in more depth.

To obtain an understanding of the crisis, the core articles about the political crisis, in Zimbabwe's two leading newspapers, the *Herald* and the *Daily News* were reviewed – the *Herald* for the full eight-year period and the *Daily News* until it ceased

publishing at the end of 2003. The weekly *Financial Gazette*, a second, leading private print newspaper, was also reviewed. These records were available through the British Library as well as a purchased subscription to the archives of AllAfrica.com, which also provided access to several other Zimbabwean papers as needed.

The chronological review of these articles provided an opportunity to review the crisis as it unfolded – albeit as reported on by a polarised press (see chapter three). While there are weaknesses to using published accounts (e.g. specific elements of the context may be unavailable, errors may exist), these accounts do provide access to, and a record of “...the language and words of the [Zimbabwean] participants” (Creswell 2009: p. 180 Table 9.2). A key weakness however, was found only through the review process. This weakness was that the articles carried virtually no analysis of the events reported, leaving it to the opinion writers to (sometimes) situate individual events into their larger, partisan frames.

A second source of documents analysed for this research project were reports by Zimbabwe's own civil society actors. Given the collapse of Zimbabwe's own official statistics, and that a great deal of any available official data was also not being made available due to "national security concerns" (UNDP 2008: p. 6), these reports represent an important body of Zimbabwean data and voices on the *scale and the effects* (e.g. types of violence, arrests, perceived causes of attacks) of specific events that were unfolding at the time (e.g. reports from dispersed protestors, or of recent human rights violations).

By the late 1990s, Zimbabwe's civil society was sizeable, articulate and represented a wide range of interests. Members possessed many skill sets (e.g.

advocacy, research, law, human rights defense) and subject-matter experts (e.g. gender equality, law, media freedoms) (Saunders 2000). Both individually (e.g. the Media Monitoring Project of Zimbabwe) and collectively (e.g. the Zimbabwe Human Rights NGO Forum, a grouping of 17 Zimbabwean human rights organisations) these reports are a documentary record of the events, scale, effects and/or consequences on the rights of individuals and other actors.

These reports are particularly valuable in terms of the research enquiries regarding the issues of impunity, penalties and the allocation of selective benefits. They are a record of specific incidents, (including, for example, data regarding dates, locations, numbers, injuries and/or damage) as well as, often, comments from the victims, and at times, the perpetrators. Their statistical validity cannot be judged however, as there is yet no official, Zimbabwean national account of the number cases of political violence. Therefore trends were not extrapolated, nor judgements or assertions of completeness made, when using this data. Even with these limitations, their use allows this research project to more fully reflect the evidence base of events in the Zimbabwean crisis.

Many of these reports applied the human rights framework, enshrined both in the Zimbabwean *Constitution* as well as in international law, to analyse and document the intentional restrictions, rights violations and the violence experienced by Zimbabweans. These reports are an expression of the action-voice of voice, and documenting this history often demanded resilience and courage, for the organisations and their staff, were often targets of the governing regime. Only the report *The Anatomy of Terror* (2011), which documented the specific sites, perpetrators, supporters



and violent incidents across fifteen of Zimbabwe's constituencies, in six of Zimbabwe's ten provinces, was published anonymously to protect the lives of the researchers, victims and interviewees who contributed to the report.

Zimbabwe's civic actors also drew upon international networks of similar organisations, enabling both the international engagement of these networks (e.g. the Centre for Housing Rights and Evictions (COHRE) or the International Bar Association (IBA)) and the mobilisation of international support to Zimbabwe's civic actors. This mobilisation also added to the volume of data and research available about specific aspects of the Zimbabwean crisis. Their normative frameworks also provided "...a common metric" against which Zimbabwean performance could be evaluated and communicated, both domestically and externally (Pfaff 2006: p. 90 citing Tarrow 1991: p. 16). The MMPZ data is a record of the frequency of broadcast and print messaging by the ZANU-PF regime, and by the political opposition, and assesses these allocations against the Southern Africa Development Community's (SADC) own agreed-upon standards. However, the mobilisation of these networks may, *for members of the ZANU-PF regime*, be examples of their political opponents mobilising to increase international pressure and/or interference by the international community in Zimbabwe's domestic affairs.

These civic reports are categorized as 'grey literature' i.e. documentation by organisations which is neither formally published by commercial publishers nor is peer-reviewed research. Grey literature is an important source of information and evidence in the field of public policy, enabling both understanding and participation. It is often valued for the timeliness of the information produced, as well its capture of information

about events and/or issues that otherwise would not be available (Lawrence *et al.* 2014: pp. 2-3).

The grey-literature reports cited in this dissertation are documentary examples of an “events-based” approach that records events of political violence and/or document events linked to specific standards (e.g. treaty commitments, human rights guarantees) (Davenport 2000: p. 14). They have also documented specific issues such as media bias in reporting, and/or other specific actions by members of the regime and its allies (e.g. establishing or supporting bases of terror). Many of the reports cited in this dissertation have been previously cited in other peer-reviewed research.

By their nature and their source, these reports *de facto* document instances and/or patterns of non-compliance (e.g. with human rights provisions of the Zimbabwean *Constitution*) and/or of targeted enforcement (e.g. under specific pieces of legislation). To account for biases in these civil society reports and/or to minimize possible quality issues, specific efforts were made to cross-reference findings from one report with other sources, as demonstrated in the citations throughout the dissertation, particularly in chapters three through five. Again, no judgements on their completeness, nor trends were extrapolated from these reports.

Public opinion polling data and reports are a specific type of grey literature. Zimbabwean data has been published *via* the *Afrobarometer* network and/or by its Zimbabwean partner, the Mass Public Opinion Institute (MPOI). The *Afrobarometer* data is also available via an on-line search tool, allowing this researcher to go beyond the published reports, to see more detailed breakdowns of the reporting findings (e.g. rural versus urban, by age). Public opinion data and reports represent the expression of

a valid sample of Zimbabwean voices (within the margin of error defined by each survey), at a specific moment in time, and on a range of issues, including issues specifically linked to governance, land, voice and exit.

To further triangulate findings amongst these sources, and thus strengthen the dissertation's validity, specific efforts were made to identify and draw upon other research and studies that reviewed the original reports and contributed an assessment of their credibility. For example, the surveys of public opinion in Zimbabwe, undertaken as part of the *Afrobarometer* initiative, were also cross-referenced to other materials, reports and findings. Reeler's (2009) study on torture in Zimbabwe during the 2000-2008 period included a meta-review of human rights reports from several different organisations, and assessed their quality and validity.

A final type of documents analysed was Zimbabwe's legislative *Acts*. This was the smallest set of documents, and the text of the relevant legislation was obtained from many different sources, as referenced. Legislation is an output of intentional decisions and intentional decision-making processes. Therefore, each piece of legislation was analysed based on four of the lines of enquiry identified above.

- did the reforms of the rules affect the collective action dilemmas, for example by creating veto-players and/or agenda-setting powers?
- did these reforms alter the incentives and penalties faced by actors, (e.g. by creating or altering permissions and prohibitions)?
- did these reforms reduce uncertainty, if so for whom?
- did these reforms alter the dynamics of exit and voice? If so, how?

This institutionalist analysis of the legislation is a new contribution to the literature, and the findings are discussed throughout the dissertation.

The dissertation now continues with the second chapter, "Institutions, Collective Action and the Dynamics of Exit and Voice".

## **Chapter Two: Institutions, Collective Action and the Dynamics of Exit and Voice**

This dissertation discusses the Zimbabwean crisis from the perspective of rational choice institutionalism, a theoretical framework that focuses analytically on decision-making, rules, collective action challenges, and role of institutions in the aggregation and structuring of choices. This dissertation's analytical argument is that the members of the ZANU-PF regime strategically reformed institutions in order to resolve their specific collective action challenge known as the 'State's Dilemma'. This argument and its supporting evidence and analysis is a new contribution to the literature on the Zimbabwean crisis.

Zimbabwe's history has included very significant contestation about both institutional reform and about the maintenance of institutional stability. Colonial era institutions established rules that defined political and economic rights, and social relations, based on race, education and/or and property. The liberation struggle, was not only about identity and history, but given its demands for majority rule and land rights, was also about the reform of institutions, while maintenance of these institutional rules was a critical concern in Rhodesia's 1965 Universal Declaration of Independence (UDI). Zimbabwe's own debates about whether to create a one-party state, about constitutional development and reform, human rights, and the redistribution of property rights, are all important post-independence examples of the contestation among actors over institutional design, stability and reform.

This chapter begins with a discussion of institutions and rational choice institutionalism, including its relevance to this study. Specific references are made to

the Zimbabwean crisis, but the key theoretical features of rational choice institutionalism, i.e. the interactions between rules, uncertainty, strategic interdependence, group dynamics, collective action, and the strategic choices of actors, are also discussed more broadly. This approach allows for a clear articulation of the theoretical features before relating them to another key theoretical element: the 'State's Dilemma', a specific type of collective action challenge (Lichbach 1995: pp. 256-258). This dissertation also argues, following Hirschman (1970, 1978 and 1986) that in situations of rising dissatisfaction, the fundamental action-choices facing actors are to exit, to give voice or to remain loyal. These action-choices are discussed along with their more recent analytical developments. The relationship between the action-choice of exit and the action-choice of voice is of critical importance, as the prioritization of one action-choice over the other has implications for the prospects of reform or stability.

The demands of both Zimbabwe's political opposition, seeking to democratically defeat the ruling members of the ZANU-PF regime, as well as the civic opposition seeking better conditions, rights or services, are all examples of collective efforts mobilised to alter "government institutions, policies and/or personnel" (Lichbach 1995: p. 3). In this case, and other similar ones, the term "contentious collective action" is applied, for the collective action is aimed at "...directly or indirectly transform[ing] existing patterns of political authority" (Ulfelder 2005: p. 312). It may give rise to situations that generate both the 'Rebel's Dilemma' and the 'State's Dilemma' (Lichbach 1995).

The 'State's Dilemma' is a specific collective action challenge faced by members of a governing regime, when they wish to retain the *status quo*. It is their challenge of sustaining needed support in the face of collective dissent (demands for reform), when the interests of the state's supporters may align otherwise (Lichbach 1995: pp. 256-258). In Zimbabwe, the State's Dilemma arose, *de facto*, when the members of the ZANU-PF regime decided to compete in elections at a time of significant opposition and weakening support. Its opposite is the Rebel's Dilemma, for "[r]ebels have everything to gain and nothing to lose by staying home" given that the public benefits are uncertain and the private costs "...provide every incentive not to act" (Lichbach 1995: p. 7).

In Zimbabwe, and in other similar governance crises, many actors may have declining economic and/or policy satisfaction. In these situations, Hirschman (1970) identified three action-choices available to actors – to exit, to give voice or to remain loyal. Each of these action-choices are discussed here, along with the two mechanisms of information and sanctions (i.e. penalties) identified by Knight (1992) that help actors to formulate their expectations of other actors. The chapter concludes with a short summary and sets the stage for the second part of the dissertation which examines several specific institutional reforms undertaken by members of the ZANU-PF regime to help resolve their 'Dilemma'.

This dissertation identifies and analyses the institutional responses undertaken by members of the ZANU-PF governing regime to address their collective action challenge arising from the demands of many Zimbabweans for change, reform and democratisation. This dissertation argues that the institutional responses were made

with a view to achieving or sustaining ZANU-PF's existing strategic distributional advantage, building on Knight's 1992 argument about institutional change and stability. By analysing and explaining these institutional reforms, the findings of this dissertation will be of broader interest to researchers studying the Zimbabwean crisis, as well as liberation movements more broadly.

Members of the ZANU-PF regime are actors in situations of strategic interdependence, with the rewards of each varying, *and affected by*, the choices and decisions of others (Knight 1992: p. 48 citing Elster 1986: p. 7, emphasis added). This strategic interdependence is at the heart of the specific collective action challenge, the State's Dilemma that they faced. Strategic interdependence has two implications for decision-making: first, there is a need to take into account the expected actions of others; and, second, there is a need to assess the effects of the actor's own decisions on the others with whom he interacts (Knight 1992: pp. 17, 48). During the time-period of this case study, the ZANU-PF government called four national-level elections. In so doing, their decision to compete electorally, in order to sustain their political *status quo*, made them dependent on the choices and decisions of Zimbabwean voters.

The ZANU-PF regime is made up of groups, and the participation in groups, as well as the dynamics of group membership (including decision-making rules), are important factors analysed and discussed throughout this dissertation. These are brought to attention as a result of the use of rational choice institutionalism, with its concern for rules and their effects on the strategic choices of actors. Mobilisation, inducements (i.e. rewards and penalties), and vetoes are amongst the strategies that may contribute to aligning choices and outcomes. Discussions of collective action,



including solutions to the State's Dilemma, benefit therefore from an analysis of "... how collective processes influence the way individuals will apply and respond to [rewards and penalties]", for these rewards and penalties help to align individual choices and group goals (Stone 2002: pp. 267, 265-283).

## **Defining Institutions**

In setting out the argument of this public policy dissertation, it is important to clearly define institutions. North's (1990: p. 3) definition is the most widely known: institutions are "...the rules of the game in a society, or more formally, are the humanly devised constraints that shape human interaction" (North 1990: p. 3). This definition adds clarity to one of the key features of institutions, i.e. that they are human constructs. As discussed further below, there are three main approaches to defining institutions, including as rules. North defines institutions as rules, and by serving as the 'rules of the game', or as Knight argues, by "...structur[ing] social interactions in particular ways" (Knight 1992: p. 2), they help to explain outcomes (Shepsle 1989: p. 135). Informal institutions also exist, and are defined by their "[s]ocially shared rules, usually unwritten, that are created, communicated and enforced outside of officially sanctioned channels" (Helmke and Levitsky 2004: p. 727). Interactions between formal and informal institutions are common, for example, informal institutions may encourage compliance with formal rules (Helmke and Levitsky (2004): p. 726). They argue for both to be considered in institutional analysis.

In explaining institutional emergence, change and stability, a review of the literature reveals that it divides along two main lines. Key authors such as Ostrom

(1990), argue that institutions emerge as a response to coordination problems, particularly those that exist around the provision of public goods. Institutions also help to reduce transaction costs, including those associated with information, monitoring and enforcement (North 1990: pp. 27f, 46-47, 54ff).

Knight, a significant institutionalist thinker, set out, in his 1992 work, an important alternative theoretical view of the emergence and change of institutions (whether formal or informal) – that is, that they develop and stabilise as the “...product of efforts to constrain the actions of those with whom we interact” as actors compete for distributional gains (Knight 1992: pp. 19, 126, emphasis added). In Zimbabwe, several characteristics of ZANU-PF make this theoretical development relevant. As discussed, ZANU came to power following a lengthy liberation war against the Rhodesian government, and a long struggle against British rule. Both of these conflicts had important institutional dimensions, as ZANU, ZAPU and black Zimbabwean civic society sought to re-write the racially-based rules that constrained their development.

Post-independence, ZANU-PF drew its strength from the accomplishment that was the transition to majority rule, but in its revolutionary tradition, also sought to weaken other challengers for power. The mid-1980s violence in Matabeleland and the *Gurukhundi* massacres (CCPJZ and LRF 1997) was the most significant assault on Zimbabwe's other major political party, the Ndebele-based ZAPU. But as others (Kriger 2006; Southall 2013: pp. 174-210) discuss there was a recurring pattern of violence, co-option and weakening of challengers in the both the political and civic domains.

While other analysts have examined these developments through the lenses of nationalism and authoritarianism, this dissertation anchored in Knight's analytical approach to institutional development and change, offers an institutionalist analysis during a unique period of Zimbabwean history, when there was significant contestation over institutional reform, legacies and alternatives. Knight's theory of institutional emergence and stability is an important explanatory framework that helps to understand institutional outcomes during this period. Further research may reveal whether this framework offers broader analytical value to Zimbabwe's post-independence period.

The analysis of the literature review also identified the three key conceptual approaches to defining institutions. These are: defining institutions as equilibria, as norms or as rules. Each of these three approaches have differences, as well as some overlaps, particularly between those defining institutions as 'norms' and those defining institutions as 'rules' (Crawford and Ostrom 1995: pp. 582-583). The crucial differences amongst these approaches are with respect to the issue of how to account for the emergence of institutions, and how to address the matter of non-compliance.

The latter difference is particularly important in this analysis of the 2000-2008 period of the Zimbabwean crisis, for non-compliance with rules was a mobilising factor for many Zimbabweans. For the ZANU-PF regime, and their allies, Britain's perceived non-compliance with the commitments on land acquisition made during the *Lancaster House* agreement mobilised many, while for those members of Zimbabwe's political and civic opposition, the regime's non-compliance with the *Constitution* and electoral and other laws, were a source of mobilisation.

In defining institutions as equilibria, it is the “stable patterns of behaviour” that “...arise from mutually understood actor preferences and optimizing behaviour... [that are treated] as institutions” (Crawford and Ostrom 1995: p. 582). This approach to defining institutions is often linked to game-theory, suggesting that the equilibria arise from extensive-form games (Bates *et al.* 1998: p. 5). In this approach, it is credible threats or promises that “play a significant role ...in generating institutionalized patterns of behaviour” (*ibid.*: pp. 9-10). Institutional stability may also be affected by institutional structures and procedures, including those that assign specific agenda-setting powers (including vetoes) to specific actors (Shepsle 1989).

Within these institutional structures and procedures, Shepsle (1989: p. 137) argued that stability will be sustained if there is no other alternative that is preferred by those actors with the relevant voting power or veto. However, this definitional approach has been criticised for both failing to provide a theoretical rationale for the emergence of institutions, and for failing to explicitly address the consequences that arise in those situations where the equilibrium is not respected (Crawford and Ostrom 1995: pp. 582-583, 588).

When the equilibrium is not respected, Crawford and Ostrom define the consequences as the 'or else' variable, and they argue that this variable is only present in the conceptualisation of institutions as rules. It exists only when the following criteria are in place: “...a known range of sanctions ...a norm or rule that prescribes sanctions and, some provision for monitoring – all emanating from a rule-making arena” (Crawford and Ostrom 1995: p. 588). Sanctions, i.e. penalties to address and reduce non-compliance, allow an actor to assess the costs of pursuing a particular

strategy and therefore (along with information), are one of two mechanisms fundamental to the formation of actors' expectations, and therefore choices (Knight 1992: p. 49). Penalties (i.e. sanctions) as a mechanism to reduce non-compliance are discussed further below.

Considering institutions as 'structure-induced equilibrium', adds some explanatory value to the discussion of the Zimbabwean crisis. It reveals the structural equilibrium behind the demands for constitutional reform made by many Zimbabweans, as well as collective actors such as the NCA and the MDC. Multiple institutional reforms and constitutional amendments had, throughout the 1980s, centralised power within both ZANU-PF and the Zimbabwean executive (Meredith 2002: pp. 79-80), and in so doing, eliminated a number of veto-players in both the constitutional and partisan spheres (Tsebelis 2002). These reforms also reinforced the links between the ZANU-PF party and the Zimbabwean government, and marginalised Parliament (Southall 2013: p. 146). In 1987, the roles of Head of State and Head of Government were combined – with Robert Mugabe becoming the new Executive President (Meredith 2002: p. 79).

The democratic implications of this structural stability became a source of the NCA's advocacy and mobilisation for a citizen-driven constitutional reform process in the late 1990s (McCandless 2011: pp. 47-48). The structural stability that resulted from these multiple constitutional amendments, also, in the aggregate, appeared to support the earlier ZANU-PF goal of a one-party state (Chikuhwa 2004: p. 72). The NCA and its allies had unprecedented success in mobilising actors to resist and to challenge this

equilibrium, but, as discussed below, ZANU-PF's responses also limited their ability to overcome the structural barriers needed to alter the institutional equilibrium, including through their retention of power in Parliament for several years.

In the second conceptual approach to defining institutions, that is as norms, it is the logic of appropriateness that prevails. This logic is one of “...fulfilling the obligations of a rule in [that] situation, and so of trying to determine the imperatives, rather than preferences” and it governs behaviour as opposed to a logic of consequentiality (March and Olsen 1989: pp. 160-161). Situational, rather than strategic, decision-making predominates and compliance with the norms is a primary motivator of behaviour. In this approach, institutions are “...self-enforcing rules... [that are] non-consequentialist rules of appropriate behaviour” (Knight 1992: p. 16 note 1). It is the “[s]hared beliefs of a group about normative obligations that explain the regularised patterns of behaviour that become recognised as institutions” (Crawford and Ostrom 1995: p. 583).

Informal institutions that have an important and significant normative element may be formally codified. Codification goes beyond the realm of “...[s]hared beliefs of a group about normative obligations” to become “formal rules that guide both *current and future action as well as behaviour in specific situations or contexts*” (Stone 2002: p. 286, emphasis added). Formalising rules allows specific events, actions and reforms to be both identified and assessed. Non-compliance may be more easily detected and penalties applied (Hodgson 2004: p.14). Codification also communicates information to other actors, helping them to assess costs, benefits, reduce uncertainty and/or make

strategic decisions. Examples include information about permissions, expectations for compliance, entitlements, the mechanisms of enforcement and the sanctions (penalties) for non-compliance. Codified rules may also communicate the formal decision-making and/or specific procedural actions required to alter (i.e. to amend, to suspend or to annul) the current rules – in other words, to change the *status quo*.

Both norms and rational choice may motivate action in different contexts (Knight 1992: p. 14). Norms may informally bind actors together through recognition and acceptance of appropriate behaviour and obligations (e.g. Comaroff and Roberts 1981), including at both community, organisational and societal levels. The shared, and therefore the collective nature of these norms, is what enables the community “...to pass judgement on [the] appropriateness” of the specific actions or behaviour (Risse and Sikkink 1999: p. 7). Institutions, in turn, may facilitate the maintenance of these norms, including through the assignment of roles to specific actors (Knight 1992: p. 15).

This conceptualisation of institutions as norms is relevant, particularly in a developing country such as Zimbabwe, with its colonial and liberation history. Comaroff and Roberts (1981: p. 28, emphasis added) recognise the importance of culture by defining a norm as “a statement of rule that is *indigenously regarded as relevant* to the regulation of social conduct”. Colonial-era institutions were overlaid on societies, often without reference to local culture, traditions and existing norms of social, political and economic governance, with resulting contestation, both violent and non-violent. Debates continue as to the appropriateness of some these institutional rules, and a key element of ZANU-PF's patriotic narrative was against Western

interference and values (e.g. human rights) in Zimbabwean politics, and for its conceptualisation of sovereignty, as discussed further in the next chapter.

Further, norms and their institutionalisation were a key part of the contestation in Zimbabwe during this period. The MDC and its civic allies, argued for the norms of constitutionalism, political rights and more participatory governance. They drew upon their existing formal institutionalisation in Zimbabwe's *Constitution*, and Zimbabwe's own commitments, to supporting international treaties. *From an institutionalist perspective*, the argument of the members of the ZANU-PF regime would be that the democratic norms stemming from the liberation struggle were already being institutionalised in Zimbabwe – through the achievement of majority rule and their continuing efforts to realise the goals of their struggle.

There are two main criticisms of this approach of *defining institutions* around normative obligations and self-enforcing mechanisms. First, the approach fails to explain behaviour that is inconsistent with the normative obligations and/or the role of the actor. Abuse of authority, again an important issue during the Zimbabwean crisis, is an example of behaviour what could be inconsistent with the shared understanding of an actors normative obligations. Second, this approach is also criticised for its failure to explain the problems that arise from situations where actors hold conflicting roles or have competing interests (Knight 1992: p. 15 citing Boudon 1981). In addition to the contestation over norms in Zimbabwe during this period, both of these criticisms are particularly pertinent to analysing the Zimbabwean crisis. There were conflicts between constitutional and partisan roles and abuses of authority that violated norms did occur. Examples are discussed further in the following chapters.



Norms may not be neutral in terms of the distribution of social and economic power. Indeed, they often "...embody and reinforce the asymmetries characterising a society" (Knight 1992: p. 124). These asymmetries may exist between individual actors, between actors within a group, or amongst different groupings. They also exist between members of the governing regime and other actors, including groups of actors in the broader society. Relevant asymmetries in Zimbabwe include those related to gender, class and race. These asymmetries will be taken into account in the dynamics within, and/or between groups, but also in the choices and decision-making of individual strategic actors.

From the perspective of institutional stability or change, these asymmetries may allow an individual or group to sustain a rule, based on their own interests and their own capacity to enforce compliance with the rule. In other words, asymmetries of power may be used intentionally, by strategic decision-makers to institutionally consolidate their advantages, thus strengthening the current institutional stability and making reform more difficult. Knight cites the apartheid regime in South Africa as a relevant example to this discussion (Knight 1992: p. 73). This dissertation analyses the case of Zimbabwe (2000-2008) and highlights the rule-making powers held by the members of the regime that were deployed to help sustain their distributional advantage and to retain support for the political *status quo*.

The third conceptual approach to defining institutions is to define institutions as rules. This dissertation, contributes to the literature on the Zimbabwean crisis by its discussion of the intentional and strategic alteration of rules to help resolve the regime's collective action problem. These alterations in some cases restricted specific freedoms,

and in other cases provided members of the regime and/or their agents and allies with more permissive powers. In this conceptual approach to defining institutions, institutions are based on regularised patterns of behaviour that reflect "... a common understanding that actions inconsistent with those that are proscribed or required are likely to be sanctioned or rendered ineffective if actors with the authority to impose punishment are informed about them" (Crawford and Ostrom 1995: p. 583). This shared understanding is critical, for it shapes expectations. To understand the patterns of behaviour "...one needs to examine the actions and outcomes that rules allow, require, or forbid and the mechanisms that exist to enforce those rules" (*ibid*: p. 583). The research lines of enquiry reflect these points, and subsequent chapters of this dissertation will provide this examination with respect to specific freedoms, the media and commercial agriculture sectors as well as the realm of public safety.

Rules assign permissions (Crawford and Ostrom 1995: pp. 584-585), that is, they provide actors with specific freedoms, roles and/or entitlements. The resulting configuration of permissions helps to constrain some, or enable other actors. Modifying the rules may alter the assigned permissions, making specific freedoms or entitlements either more restrictive, expansive or, perhaps time-bound (e.g. term limits). These permissions may also be indirect, for example, by not explicitly forbidding an action: "...assigning a '*may*' to an action is the equivalent of '*constituting*' that action", with the authors citing '*may vote*' as an example of a rule that creates an action that did not otherwise exist (Crawford and Ostrom 1995: p. 585 citing Searle 1969).

Rules may also assign decision-making powers to specific actors, and in some cases may create a veto-player. A veto-player is an “individual or collective [actor] whose agreement is necessary for a change in the *status quo*” (Tsebelis 2002: p. 19). These veto-players may be defined either in institutional (i.e. by the constitution and legal frameworks) or partisan terms, i.e. defined by the political system (*ibid*: p.2). The rules governing specific positions (e.g. a party President, or a specific Minister) may also create veto-players, with the position's permissions defining the scope or breadth of a veto. In this sense the veto is 'bounded', i.e. with limits. Rules, may result in veto-players in a specific domain (e.g. the power to veto judicial nominations may be held by the Minister of Justice), or the holder of specific agenda-setting powers (e.g. Chief of Defence Staff). Examples of decision-making rules include: the delegation of authorities to Ministers, consultation or approval requirements (e.g. Cabinet, Parliament, and chiefs), specified fora for decisions (e.g. party or state).

This argument on veto players is coherent with Shepsle's view (1989: p. 137 *italics in the original*) that, in terms of decision-making rules and processes, the "*identity of individuals*" matters. Under institutional rules individual actors may be eligible or able to act in specific circumstances or domains. This may allow them, therefore, to have influence over other actors. This is the case whether institutions are formal or informal. Of course, more generally, identity matters – for it provides, or allows for, networks of family, ethnic, social and/or professional groups, ties which are important in Zimbabwe as elsewhere, including for decision-making.

The simultaneous possession of both partisan and constitutional vetoes significantly reinforced policy stability in Zimbabwe, particularly following the

creation of the Executive Presidency in 1987. The location and number of veto-players matters for policy stability (Tsebelis 2002: pp. 17-18), for it speaks to the question of the actors, and the processes, required to bring about change. They narrowed the "...set of outcomes that can replace the *status quo*" (Tsebelis 2002: p. 3). The NCA's advocacy and mobilisation for constitutional reform reflected concerns about the *net effect* on the political *status quo* of the permissions contained in Zimbabwe's oft-amended *Constitution*. Over the years, these constitutional amendments, had removed specific actors, each with their own decision-making spheres and authorities (e.g. a Prime Minister), thus also removing existing institutional vetoes from the Zimbabwean structures of state decision-making. Most notably, in 1987, several previously distinct roles, and vetoes, were consolidated into the new Executive Presidency.

This dissertation argues that these rules and permissions matter, in responding to the collective action challenge posed by the 'State's Dilemma'. Rules and permissions provide members of the governing regime with specific institutional decision-making authorities, mechanisms and/or resources that will influence choices in situations of strategic interdependency. Rules and permissions may reinforce existing asymmetries of power, and as discussed in the following chapters, alter the dynamics of exit and voice, with implications for political outcomes.

For this dissertation, the theoretical approach that defines institutions as rules, rather than as equilibria or as norms, has been selected, due to its unique conceptual focus on reducing non-compliance. In the polarisation of this period, both ZANU-PF and MDC were concerned with questions of compliance, albeit each based on different institutional foundations. This definitional approach emphasises rewards and sanctions

[penalties], as key constraints on actors. As domestic collective dissent demands an intentional response on the part of the targeted actors (e.g. the authorities), this theoretical approach underlines the importance of procedures, compliance and enforcement in the decision-making processes, particularly those needed to address the collective action challenge that is the 'State's Dilemma'.

Neither the option of defining institutions as equilibria nor the option of defining institutions as norms were selected for this dissertation. Despite its value in highlighting the structural equilibrium that many Zimbabweans and the political opposition sought to change, during the period of this study, the Zimbabwean crisis was characterized by profound contestation about the equilibria itself, and about institutional reforms. The role of norms in encouraging compliance, and in mobilising support was important, and some argumentation on the role played by norms is incorporated into the discussion below. While this author explicitly recognises the value of the conceptual approach to defining institutions as norms, there was also, during this period, contestation over different norms and their institutionalisation. Finally, the concept's logic of appropriateness does not align with the consequentialist logic of rational choice institutionalism, and therefore this definitional approach was not selected for the dissertation.

Institutions also enable actors to address future actions and situations, as a rule "...automatically covers new cases... [c]onfronted with a case he has never seen before, the agent knows what to do" (Knight 1992: pp. 68-69 citing Searle 1969: p. 42). In this way, institutions help to shape expectations through the information the rules communicate to actors, which may in turn be factored into strategic decision-making.

Both the prospective and the permissive nature of rules are important for actors calculating the costs of future action – including actions that may lead to the imposition of new or additional penalties or sanctions. The prospective and permissive nature of rules, and the 'or else' variable of penalty (sanction), when combined, may become a deterrent, especially if an actor becomes persuaded that the costs of specific actions or strategies may outweigh the benefits (Freedman 1998: p. 23 citing George and Smoke 1974: p.11).

This section of the chapter has discussed several points – different ways by which institutions may be defined, and the selection of the definition of institutions as 'rules' for use in this dissertation. The importance of decision-making rules and the minimisation of non-compliance; the role of rules in defining the powers of many positions and actors; the importance of an 'or else' consequence in shaping expectations and strengthening compliance; and, the prospective nature of rules are all important elements of this approach. Their relevance to the dynamics in Zimbabwe, has also contributed to the justification of the selection of the definition of institutions as rules. Together, these points have also contributed to the selection of rational choice institutionalism as the theoretical framework for this dissertation.

Rational choice is one of institutionalism's three main variants, the other two being historical and sociological institutionalism (Hall and Taylor 1996). Although the study of institutions is long-standing (Barkanov 2007: p. 449), a 'new' institutionalism arose in the mid-20th century in response to political science's earlier focus on behaviouralism (Lowndes 1996: p. 183). Its development was enabled by advances in

both the organisational sciences (Barkanov 2007: p. 451) and also in economics (Burnham *et al.* 2008: pp. 24-25).

The rational choice approach to institutions is "...concerned with how human actions combine to create institutions and how existing institutions structure individual and aggregate choice" (Levi, Cook *et al.* 1990: p. 15). It goes beyond pure rational choice theory, to link individual decision-making to institutions, whereby the strategic choices of individuals are influenced and shaped by institutions themselves. It is underpinned by a consequentialist logic of decision-making, as is rational choice theory.

Many authors argue that the motivation for institutional development and maintenance is based on the provision of collective benefits, including reduced transaction costs (e.g. North 1990, Hardin 1982). However, Knight argues differently and asserts that:

"The primary motivation for social institutions cannot be the achievement of collective goals. Such goals are inconsistent with the narrow rationality underlying these institutions. Rather, institutional rules are created by and communicated through the claims and actions of rational actors....Rather than focusing on collective goals, self-interested actors want institutions that produce those social outcomes that are best for them as individual strategic actors" (Knight 1992: p. 38).

It is the search therefore for distributional advantage, rather than collective benefit, that leads to institutional emergence, change or stability (Knight 1992).

This attention to distributional advantage, rather than collective benefit, positioned rational choice institutionalism as a theoretical framework that was relevant

to a broader range of collective action challenges. By looking beyond collective benefit, to consider distributional advantage, Knight's approach enables rational choice institutionalism to explain collective action problems such as those that define the distribution of power within a state and are contested via the claims and actions of rational political actors. In particular, Knight's argument has been praised for integrating power asymmetries between actors into a theory of institutional emergence and change dynamics (Kanazawa 1994: p. 1090) as well as for explaining, at a "micro-institutional" level why one rule is chosen over another (Ostrom 1995: p. 175). For these reasons (and others) his work continues to be cited twenty-five years following its publication and this author selected his work as a core element of this dissertation.

As a theory that examines decision-making and choices, it is important to recognize that actors, whether individual or collective, commonly interact with each other in situations of strategic interdependence. Situations of strategic interdependence are an important sub-set of collective action problems, and may include circumstances where actors coordinate as a group. Strategic interdependence has two implications for decision-making: first, there is a need to take into account the expected actions of others; and, second, there is a need to assess the effects of the actor's own decisions on the others with whom he interacts (Knight 1992: pp. 17, 48).

The 'State's Dilemma' is, by definition, a situation of strategic interdependence. Elster identified three different forms of strategic interdependence: "...the rewards of each depend on the rewards of all; the rewards of each depend on the choice of all; and, the choices of each depend on the choices of all" (Knight 1992: p. 48 citing Elster 1986: p. 7). For this author, following Elster's typology above, the 'State's Dilemma' is



a situation whereby the rewards of each depend on the choice of all. Strategic interdependence contributes explanatory value by revealing how the survival by the members of the governing regime depended not only on coordination amongst themselves, but also their dependency on ensuring the continued support from their supporters, despite the rational interests of many of their supporters likely being otherwise.

Strategic interdependence requires the integration the dynamics among members of a group into the analysis, a factor enabled by the choice of rational choice institutionalism as the theoretical framework. The discussion within this dissertation of the strategic interdependence at the heart of the State's Dilemma, and the analysis of distributional advantage as the basis for institutional reform or stability, are contributions to the analysis of, and literature on, the Zimbabwean crisis.

Crucial to examining the strategic linkages between decision-making and institutions are the identifying the mechanisms used to formulate their expectations about the behaviour of others. Knight argues that these mechanisms are information and sanctions [i.e. penalties]:

"[t]hrough [the] mechanisms [of information and sanctions] social actors learn the information necessary to formulate expectations about the actions of those with whom they interact. With these expectations they choose the strategies that they think will maximise their individual benefits. In this way institutions affect strategic choice...." (Knight 1992: p. 49).

These mechanisms, and the implications of strategic interdependence for collective action, will be discussed in more depth below and in the subsequent chapters, but first, the issue of actors as members of groups and/or organisations will be discussed.

## Groups and Decision-Making:

Strategic interdependence highlights the issue of actors as members of groups and/or organisations. This chapter section discusses group membership and the effects of institutions on the choices and decisions of members. This discussion is enabled by the selection of rational-choice institutionalism as the theoretical framework.

Collective action may occur for the "....the provision of virtually any good, no matter how 'private' or 'public' the good" (Hardin 1982: p. 4). Organisations may produce some collective benefits to their members (Olson 1965: p. 15) and these benefits may be a public good, but as Olson states, they do not have to be in the public interest (Olson 1965: p. 15 note 22). Knight concurs, noting that "...there is nothing about strategic rationality that guarantees social efficiency in the substantive content of social institutions" (Knight 1992: p. 39).

Rational choice theory focuses on the strategic choices and decisions of individual actors. However, in rational choice institutionalism, with its concern for how "...existing institutions structure individual and aggregate choice" (Levi, Cook *et al.* 1990: p. 15), the dynamics within a group, and rules, are far more prominent than in traditional rational choice theory. This is important, for in the political sphere, collective entities abound, and membership in a group or organization will "...alter the way individuals respond" (Stone 2002: p. 267). Both groups and organisations enable collective action for, for without coordination with others it may be difficult for actors to achieve either institutional change or to sustain institutional stability (Knight 1992: p. 177).

Uncertainty is also an important analytical factor emerging from rational choice and rational choice institutionalism, given its effects on the assessing of, and deciding on, choices and also its effects on the expected actions of other actors. This section, and the dissertation as a whole, discusses two types of uncertainty, the first, about an actor's future status *within* a group and, the second, the uncertainty about institutional alternatives and outcomes. Free-riding that is, "...benefiting from the provision of a collective good without having participated in its production..." (Olson 1971: p. 91), is also a factor within group dynamics, which can generate its own uncertainty about whether the collective good will be provided. This challenge to effective collective action is introduced here, and specific examples from the Zimbabwean crisis are discussed in greater depth in chapter four.

The internal structure of an organisation, established by rules or norms, and often the two together, as formal rules are complemented by normative conventions. Rules may, for example, define the boundaries of membership, spheres of action, as well as specific roles and responsibilities (Hodgson 2004: p. 425). By influencing how actors interact with each other these institutional rules, within the organisation, also contribute to the structure and aggregation of actors' choices. Organisations are often themselves constrained by other institutions (e.g. an NGO is constrained by its own internal governance as well as the formal rules that govern all non-governmental organisations in the country), and therefore a 'nesting' of organisations and institutions becomes evident. This 'nesting' blurs the sharp analytical distinction between the two made by North in his analysis of institutions and economic performance (1990: p. 4). However, the concept of 'nesting' also allows organisations to be "...treated as actors

within broader institutional frameworks" (Hodgson 2004: p. 428), an important advance when the unit of analysis is broad, for example, in this dissertation, the media sector and the commercial agriculture sector.

Collective actors (e.g. trade unions, political parties) are frequently engaged in collective action. Each are governed by their rules of membership, spheres of action and roles and responsibilities (including chains of command or hierarchy), Knight (1992) calls these the 'arrangements' of the group or organisation. These arrangements are important elements to be examined in assessing the response (e.g. by Cabinet, the governing political party or a government department) to collective dissent. Institutional rules may require engagement by specific actors (e.g. mandatory consultation requirements, criteria for specific representatives to be present in a Commission), or others may voluntarily engage, in order to achieve, for example, advocacy or mobilisation objectives. These formal rules may also be not enforced, or be replaced (in whole or in part) by informal rules, as discussed with reference to the impunity which arose within Zimbabwe's public security sector.

The rules that structure these groups, and/or structure the environment within which they must act, may also define, for example, the frequency or duration of their interactions. In so doing, they define the extent of the constraint and/or the form of interdependency amongst actors. These rules thus help to formulate expectations of the others with whom an actor will interact, and, to constrain their strategic interaction with others (Knight 1992). Some penalties, for example of the 'three strikes and you're out' variety, may restructure relationships to limit future interactions, affecting future group membership by forcing exit from the group itself.

Group size is an important variable in analysing collective action, for it has effects on rules, interactions, enforcement and information mechanisms as well as decision-making. Organisations and groups vary in membership, both size and/or composition (e.g. sex, age, geographic distribution), and this may vary over time. Variance may also occur due to changes in normative affinities and/or changes to rules that make the group more inclusive or exclusive. The efforts, through ZANU-PF's patriotic narrative, to define a group of 'patriots' are an example. Changes in the external environment in which the members of the group operate (e.g. the imposition of targeted sanctions, economic decline) may interact with group size, potentially affecting the benefits (e.g. rents, status, resources) and choices accruing to actors.

Group size impacts on collective action and factors into strategic decision-making both directly and indirectly. Groups may include the presence of sub-groups (e.g. regional sections) or may sub-divide into smaller informal groups (e.g. the factions within ZANU-PF) or split into separate formal groups (e.g. the split within the MDC in 2005). Group size has an impact on collective action, and Hardin argues that the relevant criteria for assessing the size of the sub-group must be the ability to provide the "whole group's good" (Hardin 1982: p. 12). This author concurs with Hardin's argument, for it strengthens the analytical focus on the collective action outcome sought, in this case, one that is a 'step-good' type of collective action problem that can only be wholly provided.

Group size may also affect the prospects for successful collective action, for example, larger groups may also for burden-sharing, but only if this successfully coordinated. Smaller groups allow actors to more easily assess the credibility of those

with whom they interact (Knight 1992: p. 80), while increasing group size may reduce the frequency of contact between individual group members, potentially altering the incentives for non-compliance. The effects of increasing group size on the incentives for non-compliance is particularly important in situations where informal rules that are self-enforced amongst actors within the group (*ibid*).

Non-compliance becomes less observable in a larger group, and as a result larger groups often face the challenge of free-riding that is, "...benefitting from the provision of a collective good without having participated in its production..." (Olson 1971: p. 91). Free-riding affects the prospects for the group's success (Hardin 1982: p. 98), particularly in the absence of penalties. Increased non-compliance with a specific rule may contribute to its instability, although the rule's stability will also be influenced by the consequences of non-compliance on those currently favoured by the *status quo* (Knight 1992: p. 180). As was the case during the Zimbabwe crisis, those who benefit from the political *status quo* will find it rational to enforce those rules that help to sustain their advantage.

Group size also directly affects the cost, for each actor, of either the current rules or proposed reforms to the rules. In turn, costs affect the net benefits to be realised and, therefore, the choices and decisions of strategic actors (Olson 1965: p. 46; Knight 1992: p. 180). Costs include transaction costs (including the cost of organising the group), information, free-riding, the costs of penalties and their associated enforcement mechanisms.

Altering group size may be one solution to adjusting the cost/benefit trade-off. Membership may be expanded for greater burden-sharing, or be reduced (e.g. via

forced or voluntary exit) for greater *per capita* benefits for remaining members.

Forcing exit may threaten the viability of the group as a whole, as it may not be able to sustain itself, while voluntary exit may generate competing groups (e.g. when a break-away group is formed) that affects costs and benefits. With small groups, the collective benefit may be sufficient for the group to remain self-enforcing (Olson 1965: pp. 29, 34), avoiding the transaction costs associated with the need for external enforcement mechanisms.

Group size also influences strategic decision-making through the knowledge actors acquire about each other through their interactions and, by affecting the reliability of information *within* the group. Institutional rules transmit two types of information, first, information pertaining to "...the probable future actions of others" and second, information concerning "...the nature of sanctions for non-compliance" (Knight 1992: p. 17). The former includes information about both present intentionality and about past patterns of behaviour (Knight 1992: p. 82) which is critical to strategic decision-making.

Changes in the external environment may also provide a strategic advantage to actors who are able to identify and to act on them (Knight 1992: p. 76). This strategic advantage may be material or informational, if there is privileged information that can be generated or captured through a specific institution or from a specific position. Examples of informational advantages that can be used for strategic decision-making abound. A central bank governor will have informational advantages regarding economic performance that can be integrated into strategic decision-making, including for personal advantage. The commander of the security services could use the rules of

his position to mandate the compilation of additional information about opponents. The Minister of Communications may use the rules of her ministry to close or restrict independent media, thus potentially constraining the availability of inputs and/or evidence for decision-making, choice selection and preference formation amongst media consumers. Acting on these strategic advantages (e.g. restrictions on media freedoms) may negatively affect the reliability of information about external events available to other actors with whom they interact.

To encourage membership and participation in groups, or to assist in the retention of members, membership benefits (a form of selective incentives) may be used to encourage mobilisation and to overcome the challenges of collective action (Olson 1971). The arrangements of the group itself, for example, those governing distributional share, also affect the benefits arising from membership, as the strategic interactions among members are guided by both by the rules which comprise the arrangements and the degree of transparency therein. Actors may not only assess the magnitude and frequency of the benefits themselves, but also the direct or indirect benefits arising from the policies of that organisation (Hirschman 1970: pp. 4 and 87). A change in the quality of those benefits is defined as the "...equivalent to increasing disagreement with the organisation's policies" (Hirschman 1970: pp. 4, 87).

This strategy of providing inducements to group members and/or supporters is discussed throughout the dissertation, particularly with respect to the benefits of impunity and access to food-aid and employment. The discussion is directly linked to institutional reforms, for it was the reform of institutional rules that enabled the provision of many of these inducements. As discussed below, ZANU-PF's patriotic



narrative also sought to de-legitimize specific groups of Zimbabweans, with implications for their access to resources (e.g. food aid, land) but also implications for party membership.

The members of the ZANU-PF regime certainly received selective benefits for their membership in the regime. These may be normative or reputational (e.g. as a leader advancing their convictions, improving welfare) and in many cases they were also financial (e.g. preferential access to foreign exchange, to land). They are, however, also in a situation of strategic inter-dependency, and many of their personal benefits largely depend on the group as a whole continuing to benefit, i.e. the rewards of each depend on the choices of all (Knight 1992: p. 48 citing Elster 1986: p. 7).

Given this inter-dependency within the group, the group's arrangements may create, intensify (or resolve) a specific uncertainty with respect to an actor's own future status in the group or community (Knight 1992: p. 45 citing Rawls 1971). Uncertainty regarding their future status in a group (e.g. the governing ZANU-PF regime) will depend on both the details of the group's arrangements, and the position of the actor(s) within the group. Institutional rules (e.g. seniority), for example, may, in some cases, help hedge against this uncertainty, while the presence of veto-players within the group may increase this uncertainty.

For example, if those vetoes pertain to eligibility or other membership matters (e.g. term limits) or if alterations to the other rules make the exercise of this veto easier (e.g. a shift from a qualified majority vote to a simple majority), uncertainty for individual actors about their future status in the group, will be increased. An actor's uncertainty about their future status in the governing regime may make the State's

Dilemma more difficult to solve, e.g. by weakening loyalty, and/or making the mobilisation of supporters more difficult (e.g. fewer volunteers, increased free-riding).

Members of a governing regime (including Zimbabwe's) hold the powers that can influence the uncertainty of other actors, individual or collective. These powers, discussed below, featured in the regime's response to the uncertainties generated in both the print media and commercial agriculture sectors. They held not only the powers of appointment etc., but also the powers to alter these rules, in either generic or specific cases (e.g. to ban a political party or to ban its leader and/or its officials). When these powers to define or to alter the rules are deployed strategically, they may create or reinforce the uncertainty about future status for *other actors or groups*. Changes to labour laws in order to ban trade unions, the declaration of a human rights activist as a *persona non grata* or the revocation of citizenship are all examples of institutional rules that create uncertainty about an actor's future status. For individual or collective actors engaged in collective dissent, uncertainty about an actor's future status within the group, or about the status of the group itself matter. This uncertainty will reinforce the Rebel's Dilemma by exacerbating coordination problems and/or adding to the private costs of participation.—

This period of contestation in Zimbabwe also featured other types of uncertainty specifically those related to institutional alternatives and outcomes. In other words, actors faced uncertainty that is related to the choices, outcomes and consequences of institutional reform. This uncertainty was particularly acute following the referendum result on the draft constitution. Knight identifies five different types of uncertainty as: "...1) the present institutional alternatives available to them, 2) the

present consequences of their institutional choices, 3) the future consequences of their present institutional choices, 4) the future institutional alternatives that will be available to them, and 5) their future preferences regarding future alternatives and outcomes" (Knight 1992: p. 45).

This dissertation has argued that the contestation in Zimbabwe, during this period, was over institutions, their reform (or not) and their consequences. Rational choice institutionalism pays particular analytical attention to the issue of uncertainty given its impacts on strategic decision-making. This typology of uncertainties regarding future institutional alternatives, choices and their consequences is particularly relevant to this discussion, for it helps to explain actions that helped to propel mobilisation and/or suppress voices of dissent. For example, the collective dissent by the war veterans following the referendum defeat may be seen as mobilisation to secure land reform commitments prior to the June 2000 parliamentary elections, reducing uncertainty about the present and future consequences of the referendum decision (discussed further in chapter five). As the commercial farmers struggled with the land occupations, and support from the regime for the same, they also faced uncertainties about the future institutional alternatives that would be available. This dissertation argues that, as the crisis unfolded, intentional institutional reforms also generated uncertainties for specific actors in the media sector, and for supporters of the MDC, in addition to the commercial farmers, thus exacerbating the Rebel's Dilemma.

In Zimbabwe, the mobilising success of the NCA and other civic groups in demanding a new constitution and other reforms was an important expression of preferences for institutional alternatives that could generate different political

outcomes. Rational choice institutionalism highlights that members of the ZANU-PF regime faced uncertainty about their institutional future, their alternatives and therefore their strategic choices.

Uncertainty about the future consequences of institutional reform, and the advantages (or not) of future alternatives may exacerbate the 'State's Dilemma'. The challenges of maintaining group cohesion and of keeping supporters 'on-side' (i.e. aligned with future outcomes) needs to be taken into account as future institutional alternatives and their consequences are considered and assessed. Decision-making *within* the group (i.e. governing regime) becomes more complex, particularly in light of their strategic interdependence, as different actors may have different preferred choices or outcomes. The uncertainty regarding future consequences and future preferences makes institutional design or reform to ensure future distributional advantage more complex (Knight 1992: p. 45).

During the period of the Zimbabwean crisis under discussion, it is clear that members of the ZANU-PF regime faced uncertainty over future institutional alternatives and their future consequences. This uncertainty may have driven the development of their 'patriotic narrative' for their narrative, was a non-institutionalist strategy that communicated clearly (and successfully) ZANU-PF's values, and priorities. But the narrative was also accompanied by a number of the institutional reforms that were made by members of the ZANU-PF regime. In the following chapters, this dissertation analyses several of these reforms in the media, public security and commercial agricultural sectors. Through these reforms, the members of the ZANU-PF regime, acting in coordination, reduced their uncertainty about future

institutional alternatives (e.g. a new constitution, media liberalisation) and the political consequences arising from the same. In so doing they took specific measures to resolve their own 'State's Dilemma' and intensified the 'Rebel's Dilemma' faced by their political opponents.

One of the lines of research enquiry examines the management of uncertainty. This attention to uncertainty, and the strategic management of the same to address collective action problems, adds explanatory relevance to the understanding of the Zimbabwean crisis, particularly when combined with rational choice institutionalism's attention to group dynamics, strategic decision-making and to institutional reform. This discussion on the uncertainty related to membership in a group, and the roles that institutional reform and veto-players can play in exacerbating (or reducing) this uncertainty for other actors is an important addition to the discussion on the Zimbabwean crisis.

## **Exit, Voice and Loyalty**

This chapter has, so far, developed the argument for defining institutions as rules, and argued that rational choice institutionalism is a theoretical perspective relevant to the Zimbabwean crisis, due to both the influence of institutions on the strategic choices of actors, and the contestation over institutional reform or stability that was a central element of the crisis. The dynamics of actors within groups, the strategic interdependence between actors, and the implications for institutional reform or stability were discussed, and also with reference to the implications for collective action. Uncertainty about the status of an actor within a group, and the uncertainty that

can arise from future institutional alternatives and outcomes were also discussed, with reference to strategic decision-making.

This chapter now turns to a second theoretical argument critical to this dissertation: Hirschman's theory of exit, voice and loyalty (Hirschman 1970, 1978, 1986). These three action-choices: to give voice, to exit in order to signal their dissatisfaction, or to remain loyal are fundamentally an actor's core responses in situations of contentious collective action, including those of the Rebel's and State's Dilemmas. These action-choices were developed at the level of both the individual and collective actors, as well as at the levels of individual, aggregated and cumulative responses.

These action-choices are inter-related and Hirschman (1970) discusses these as the dynamics of exit, voice and loyalty. It is perhaps due to this attention on the dynamics between the action-choices, that his 1970 analysis does not directly refer to the then emerging literature on collective action (e.g. Olson 1965). His later work explicitly examines the dynamics of voice and exit with respect to the state development, including issues of migration and displacement (Hirschman 1978).

For this author, these three action-choices are foundational to analysing an actor's response to those situations of contentious collective action where reform is demanded. In the case of the Zimbabwean crisis, dissatisfied with the current institutional *status quo*, members of the MDC and the NCA chose to give voice to their demands for reform. Faced with these demands for constitutional, economic and other reforms, the members of the ZANU-PF sought to suppress the action-choice of voice,

to encourage exit and to reinforce loyalty, through the introduction of new institutional rules that altered the incentives and penalties, as discussed in the next chapters.

Hirschman (1970, 1978, 1986) discusses each of these action-choices in the context of communicating the need for reform, and responding to these demands. However, Hirschman's discussion of institutional strategies to constrain (or enable) each of the action-choices is more limited, and emerges in his later work. It fits into his original (1970) analysis of "responsiveness", and of "mechanisms" to communicate concerns and the need for change, as well as his discussion of organisational rules. As this dissertation demonstrates, institutional reform may address (or block) the concerns that are generating the dissatisfaction by altering the choices of actors. In this way, this dissertation is an advance on Hirschman's work.

Similarly, despite its importance to decision-making about choices, and its importance to mobilisation, the issue of uncertainty was not discussed by Hirschman in depth. Uncertainty is likely to influence choices and decisions around the action-choices of exit and/or voice as well as loyalty. As discussed throughout this dissertation, many Zimbabweans, facing uncertainty about both the economic future, and about governance trends, expressed their preferences for different institutional alternatives via mobilisation and the aggregation of voice. Others chose voluntary exit via migration to other countries. Pfaff's (2006: pp. 28, 107ff) study of the dynamics of exit and voice in East Germany, revealed the role of growing economic uncertainty in helping to mobilise protesters in their collective demands for reform.

For individual members and supporters of a governing regime, such as ZANU-PF, one choice is to remain loyal. This dissertation uses Hirschman's definition of

loyalty as "...[postponing exit] in spite of dissatisfaction and qualms" (Hirschman 1970: p. 104). This definition, and the analytical developments related to the action-choice of loyalty are discussed in more detail in chapter four. The ZANU-PF leadership actively promoted loyalty, including for normative reasons. Levitsky and Way (2012: p. 785) discuss how few defections there have been from the ZANU-PF regime in the post-independence period, and Ranger (2004) discusses Zimbabwean 'patriots' in the context of the liberation struggle, its goals, and a sovereign Zimbabwe, and therefore their continuing electoral loyalty to ZANU-PF. The narrative of patriotic history is discussed in the next chapter, and in chapter four with specific reference to the action-choice of loyalty.

Promoting loyalty also offers functional benefits, in that loyalty eases the 'State's Dilemma by facilitating the retention of support by those who are committed to, or choose, the *status quo* or a strategy of change from within (Lichbach 1995: pp. 256-258; Hirschman 1970: p. 79). Loyalty can engender "reserves of sacrifice" which may not otherwise be mobilised, and may usefully convey a symbolic show of both strength and unity as Galtung (1967: p. 389) discussed in his important analysis of Rhodesian sanctions.

Loyalty, by increasing the costs of exit, may serve as a barrier to exit, helping to purchase additional time and opportunity for the leadership to address the existing dissatisfaction (Hirschman 1970: p. 79). The action-choice of loyalty is not without costs, including for those actors who choose to use it as a barrier to exit. ZANU-PF needed to retain, and regain, support from Zimbabweans, and actions to strengthen the choice of loyalty by its supporters were taken. Standard principal-agent problems



apply: the challenge of both ensuring the availability and reliability of information and of monitoring behaviour (e.g. 'tests' that demonstrate an actor's continuing loyalty through the provision of contributions). Uncertainty may be created when actors conceal information about themselves and their behaviour (Stone 2002: p. 279), with potentially negative consequences for strategic decision-making and/or action. Rules, informal or formal, that explicitly or *de facto* demand loyalty (e.g. rules against treason, adherence or maintenance of party membership by public officials) may alter the costs and benefits of loyalty, but may also provide information about "...the probable future actions of others (Knight 1992: p. 17), helping others to formulate their expectations and to make choices for their own strategic benefit (Knight 1992: p. 57).

Loyalty's costs also include the suppression of the action-choice of voice. This occurred during the Zimbabwean crisis as loyalty to ZANU-PF and its priorities was demanded, and the expression of opposing voice curtailed. Institutions that produce loyalty are often "...meant to *repress* voice alongside exit" (Hirschman 1970: p. 92 *italics in original*), an analytical finding that fits very well with ZANU-PF's suppression of its opponents and its uneasy relationships with non-state actors (Southall 2013: pp. 174-211). The leadership's short-term interests are to "...entrench themselves and to enhance their freedom to act as they wish, unmolested as far as possible by either desertions *or* complaints of members..." even if their longer-term interests are better served by enhancing "...feedback, either [through] voice or exit" (Hirschman 1970: pp. 92-93).

The action-choice of 'voice' is defined as "any attempt at all to change, rather than to escape from, an objectionable state of affairs, whether through individual or

collective petition to [internal organisational] leadership.... or through various types of actions and protests, including those that are meant to mobilise public opinion" (Hirschman 1970: p. 30). This definition is focused on the need to express dissatisfaction and to encourage or initiate change or reform, rather than the articulation of a preference for the current state of affairs. This definition is about altering the agenda or priorities of the leadership, and recognises that a variety of efforts to amplify demands may be strategically pursued. Hirschman's definition therefore covers only a sub-set of public discourse with its competing voices of both support and dissent.

Although this definition, Hirschman's original, has had its own useful empirical developments (as discussed below), it is retained for this dissertation which discusses the dynamics of exit, voice and loyalty in resolving the collective action problems faced by the members of the ZANU-PF. This dissertation argues, particularly in the following chapter that, in Zimbabwe, the action-choice of voice was suppressed by the leaders of the ZANU-PF regime, through coordinated action to reform institutions so as to constrain the freedoms of expression, association, assembly and movement – the four freedoms fundamental to the expression and aggregation of the action-choice of voice, as well as the private media outlets. Through its focus on the use of institutional constraints to suppress opposing voices, it differs from the analysis of 'patriotic history' within the Zimbabwean literature. The next chapter includes a comparative assessment of ZANU-PF's patriotic narrative and the action-choice of 'voice'.

Hirschman's definition explicitly acknowledges that there are two (or more) parties – the first, the 'member' (an individual or collective actor) who is expressing his or her dissatisfaction and the second, the 'receiver' (or as Hirschman called it,

"management") (*ibid*). The 'receiver' will, through the information provided by this expression of voice, register the dissatisfaction expressed. This feedback helps 'the receiver' to shape expectations and thereafter develop their choices, including choices about voice or exit. Exit is a more direct and less graduated, means of expressing concerns or dissent than that of voice but, as discussed further below, one whose effect often arises from its cumulative, rather than individual, deployment (Hirschman 1970: pp. 17, 23-24).

Voice too, often has greater effect through its accumulation and aggregation, as seen in the unprecedented mobilising success of the MDC and its civic allies. The effectiveness of voice through aggregation are realities that arise in the political domain, for example, as voices join together through shared concern and/or new political parties or entrepreneurial leaders emerge. Mobilisation arises when "...effects and experiences are converted into organised efforts to bring about change" in its degree of organisation. The collective expression of voice, or mobilisation, may occur for example, amongst competing factions or groupings, within the groups and/or within the "...publics potentially affected by the consequences of the reform" (Stone 2002: p. 217).

The potential for exercising voice, however, depends on several factors. Hirschman (1970: p. 43) cited the population's general propensity to complain, an important consideration in a range of cultures, including Zimbabwe. Traditional chieftaincies, for example, may discourage the expression of voice by clan members. Hierarchy may also be a constraint to voice, within specific organisational contexts such as the military. Other cultural norms, such as respect for elders, or the husband

speaking for the wife and family members may also influence the expression of voice in specific situations and cultures. Lichbach's work (1995) also highlights the risks associated with the expression of voice, and risk tolerance and capacity are other factors that will influence the potential for the action-choice of voice to be expressed.

The group's internal arrangements, decision-making rules and procedures are also important to the exercise of voice. An institutional mechanism within the group's arrangements that "...can communicate complaints cheaply and effectively" is also a pre-requisite for exercising 'voice' (Hirschman 1970: p. 43). Group arrangements may define who has a right to express voice within the group, as well as how and when that voice may be formally expressed. The degree of competition amongst groups will also affect the dynamics between exit and voice (Hirschman 1970: pp. 49ff) and thus actors' expectations about the effectiveness of each strategy. These points regarding group dynamics and the arrangements of groups were discussed above and will be analysed further below.

Voice, as an action-choice, often carries higher costs, than the other action-choices, when it is used as a strategy to demand reform. It may be time and resource intensive, particularly if considerable numbers of actors need to be mobilised in order for the action-choice of voice to be effective. Reputational risks may be a factor as an actor asks 'do I speak up?' and the costs may accrue as penalties for speaking out may be applied, as discussed further in the next chapter. These private costs are part of the Rebel's Dilemma, for they are weighed against the uncertain public benefits (Lichbach 1995: pp. 15-16). The assessment of the effectiveness of the action-choice of voice is critical, and the decision to exit will often be taken in the light of these prospects

(Hirschman 1970: pp. 37, 136). But Hirschman also notes that the availability (or not) of an exit option will also influence the prospects for the effective use of voice, as an existing exit option will atrophy the development of the "art of voice" (Hirschman 1970: pp. 34, 43). Voluntary exit may simply be the easier, cheaper choice available to strategic actors. The option of exit and whether it is forced or voluntary will now be discussed.

### **Voluntary vs. Forced Exit**

Hirschman (1970) and Lichbach (1995) both discuss the action-choice of exit, as either a voluntary or a forced action-choice during situations of declining satisfaction. Although Hirschman initially discussed voluntary exit largely in economic terms (1970: pp. 15-17), by 1986, his definition of exit had broadened to explicitly recognise both the political and economic spheres: the "...withdrawal from a relationship that one has built up as a buyer of merchandise or as a member of an organisation such as a firm, family, *a political party or state*" (Hirschman 1986: p. 77, emphasis added). His 1978 work explicitly focused on exit within, or from, a state. Lichbach (1995: pp. 105-107) discusses different types of voluntary exit, although it is Fried (2003) who primarily discusses those situations where voluntary exit is *not* an option. Each type of exit, i.e. forced or voluntary, has implications for collective action, as discussed further in chapter five below.

An analysis of the literature identifies two broad meta-categories of exit: that which is voluntary, and *undertaken* by the actor, and that which is forced, that is, *imposed*, upon the actor by another. Juxtaposing these two meta-categories reveals and

emphasizes a critical factor: it matters whether the affected actor is the one who holds the power to decide his own exit or not. *Voluntary* exit is a rational response to increasing dissatisfaction, with exit the action-choice arising from an assessment of the costs and benefits of giving voice or of remaining loyal. *Forced* exit may be a rational strategy imposed to repress voice and/or other forms of dissent. Other actors may impose rules that create new, or alter, existing restrictions on exit. By *denying* exit to targeted actors, voice may be mobilised, facilitating collective action by its aggregation and its expression. However, by *forcing* exit, the voice of those targeted may be removed, or restricted in their reach. "The state, recognizing a dissident's exit/voice option, uses accommodative and repressive response strategies to control the dissident's choice" (Lichbach 1995: p. 24).

## **Voluntary Exit**

To review, voluntary exit is defined as a decision to act (e.g. to withdraw or to disassociate) by an actor in situations of declining market or policy satisfaction (Hirschman 1970). Examples include a decision to leave a political party, a situation of unsatisfactory employment, or to migrate from a geographic area for either political, social and/or economic dissatisfaction or concern. Voluntary exit is one means of expressing dissatisfaction or grievance, but may be a more direct, and less graduated, means of expression than that of voice (Hirschman 1970: p. 17), for it is often an "in or out" action-choice. The effects of voluntary exit often arises from its cumulative, rather than individual, deployment (1970: pp. 23-24; Pfaff 2006: p. 28), although a single actor's departure can be significant.

For example, the largest trade union leaving the federation of trade unions would weaken the both the representativeness and therefore the legitimacy of the federation, while the loss of access to the trade union's significant financial and human resources may also limit the effectiveness of the federation. Individual actors may choose to leave a political party or a business, and the role of that individual (member, employee, founder, executive) within the organisation will influence the effect of that departure on the organisation or business. Effects will include the assessment by other strategic actors, of their future choices following this voluntary exit. However, the effects of voluntary exit may be offset by the participation of other actors who replace those who left (Hirschman 1970: pp. 26-27).

Group dynamics are again relevant to this discussion. Restrictions on exit may help the group to maintain its size despite rising dissatisfaction. By discouraging exit, they support group maintenance and, potentially, group cohesion. Barriers to exit also reduce the "permeability" of the group i.e. "...the ease with which one [can participate]" in the group (Lichbach 1995: p. 214 citing Lasswell and Kaplan 1950: p. 35). Group size may change if, for example, restrictions on entry to the group are either non-existent or are less restrictive than those restricting exit. The composition of the group may also be affected if these exit or entry restrictions are targeted on the basis of specific criteria (e.g. age, sex, or income). The temporal aspect is important – temporary barriers to exit may not have the same effect as those that are permanent.

By increasing the cost of the action-choice of exit, exit restrictions or barriers therefore alter the benefits of remaining loyal. These barriers may also assist in monitoring defections from the group, for example, by making defections more visible.

Loyalty may be sufficiently high (including due to normative reasons), and/or the costs of remaining loyal are sufficiently low, for actors to remain in the situation or organisation, even when "...exit is a readily available option" (Pfaff 2006: p. 19; Hirschman 1970: p. 93). Selective incentives to may be offered to reinforce the benefits of staying loyal, and examples of the strategic deployment of selective incentives, by members of the ZANU-PF regime, to reinforce the loyalty of their supporters (and to delay their exit at the time of elections) are discussed in the chapters below.

When rules regarding exit (or entry) alter the group's composition and/or its internal structure, uncertainty may arise. These uncertainties may be particularly important in those situations where the actor is affected by, but does not control, the rule-making process that is altering the group's permeability. For example, rules may be introduced or altered to permit forced exit (expulsion). Changing the group's permeability may increase an actor's uncertainty about the actions of others with whom they interact, their own uncertainty about their future status within the group and/or their future institutional alternatives and consequences (Knight 1992: pp. 44-45). The impact of these uncertainties on an actor's choice to remain loyal, i.e. to defer exit, will vary.

Voluntary exit is an action-choice that is very relevant to this discussion of the Zimbabwean crisis. Many Zimbabweans exited ZANU-PF and became members of the MDC, exacerbating the regime's collective action dilemma, and providing mobilising benefits and support to the MDC. Many Zimbabweans voluntarily left the country,



dissatisfied with political and/or economic conditions (Crush and Tevera 2010; UNDP 2009: p. 101), altering the dynamics of exit and voice, as discussed further below.

Exit, in the political realm, "...has often been branded as *criminal* for it has been labelled [by political leadership] as desertion, defection and treason" (Hirschman 1970: p. 17 italics in original). Zimbabwe was no exception, and the members and supporters of the political opposition in Zimbabwe were often called "traitors", "sell-outs" or "enemies" by President Mugabe and other members of the ZANU-PF regime (HR NGO Forum 2007; Ranger 2004). This language featured heavily in the 'patriotic' narrative of ZANU-PF, although not for the MDC and civic opposition's physical departure from Zimbabwe, but rather for their *political departure from ZANU-PF and their world view*.

This negative 'branding' may result in additional costs, and these costs will be taken into account by actors who may be considering voluntary exit. The costs may include criminal penalties, reputational loss, "...life-long associations...[and/or loss] of livelihood" (Hirschman 1970: p. 96 citing Almond 1954: chapter 12), each of which are significant, and all of which were part of the response from the regime. Other costs include the costs of identifying and selecting alternatives (i.e. information costs) (Hirschman 1970: pp. 82-83), as well as the cost associated with the price of entry if a new alternative is chosen. When entry costs are high, actors may be slow to acknowledge the declines occurring, and the "...onset of voice" will therefore be delayed, although in these cases, voice is likely to "...be *more active* than is ordinarily the case" (Hirschman 1970: p. 93 emphasis in the original).

Also relevant to the Zimbabwean crisis and the analysis of the dynamics of exit and voice is the question of mobility of property rights. The mobility of property rights is a key element in increasing the prospects for voluntary exit over voice (Hirschman 1978: pp. 96-101). Following Hirschman's argument, those in the agricultural sector, for example, where property is more fixed (e.g. land, buildings, equipment) are thus more likely to choose voice over voluntary exit. This reflects the higher costs of voluntary exit, e.g. due to the loss of fixed assets. It is not surprising therefore, that facing *forced* exit from their farms, and with low mobility of their property rights, many of Zimbabwe's white commercial farmers, chose the action-choice of voice over exit.

Threatening voluntary exit, rather than immediately exiting, may help to increase voice's effectiveness, by complementing, and therefore, making clear to others the costs of ignoring the substantive demands articulated through voice. Threats may encourage, for example, responsiveness to the demands for change (Hirschman 1970: p. 83). If successful, then the threat of exit will have altered strategic choices and have served as a deterrent, i.e. it will have "... persuade[d] an opponent to stop or reverse an action" (George and Simons 1994: p. 7). To be effective, a threat must be credible. The credibility of the threat of exit is affected both by its costs and by the ease with which it can be implemented (Hirschman 1970: p. 83). The degree of interaction, and the degree of inter-dependency, between the actors, i.e. whether the interaction is of a 'one-time only' nature, or is likely to be repeated in the future, also matters, for it may influence both the timing and the deployment of the threat. Immediate action may be required in order to sustain future threat credibility (Hardin 1982: p. 183). However, in

the case of the threat of exit, exit takes the actor 'out of the game', rendering the threat a 'one-time only' play which cannot be used again in the future.

Finally, voice may be a residual choice to voluntary exit. When exit is unavailable, or unlikely (e.g. due to very high costs), voluntary exit may become the *source* of voice (Hirschman 1970: p. 34, emphasis added). As discussed above, barriers or restrictions to voluntary exit may alter the dynamics between exit and voice. For example, the denial of exit due to a minimum membership period could alter the preference for using voice in the immediate term. A change in the pace or scope of denials of exit (e.g. new criteria to be met) could also alter strategic choices. Decisions on whether (or not) to *deny* the choice of exit are also likely to be affected by whether the actors are likely to continue to interact in the future.

Voluntary exit in Sub-Saharan Africa is not new and has long historical roots (Herbst 1990; Hirschman 1978; IOM 2009). Herbst discussed cross-border migration during the colonial period as a means of both avoiding colonial control, and of protecting those who were "...dissatisfied with the state" (Herbst 1990: p. 186). Splits within communities were also voluntary examples of exit, at times serving as a means of resolving or managing conflicts, or, at other times, an indicator of preferences for an alternative supplier of public goods or authority (Hirschman 1978: pp. 94-95).

When aggregated however, voluntary migration may be a threat to the state itself (Herbst 1990: p. 186; Hirschman 1978: pp. 101-105; Pfaff 2006: pp. 138-139). Once established, in or amongst communities, voluntary exit may become self-reinforcing, and suppress the development of voice. Voluntary exit may therefore discourage the leadership from finding alternative means of addressing dissatisfaction

and conflicts (Hirschman 1978: p. 95), including by the removal of activist voices (Hirschman 1986: p. 90).

During the East German revolution, voluntary *mass* exit did not suppress voice, but rather helped to *trigger* voice (Pfaff 2006). Mass exit therefore played a *catalytic* role, a role not included in Hirschman's original theory on the roles of exit *vis-à-vis* voice. Pfaff's argument, of cumulative exit as a trigger for voice, is an important advance on Hirschman's original work. As discussed in the synthesis section below, this advance is one that adds explanatory value to this dissertation's analysis of the Zimbabwean crisis. In East Germany, mass exit revealed the vulnerability of the governing regime, thus encouraging others to join in the protests (Pfaff 2006: p. 29). Both Herbst and Hirschman argued that, in these cases, responsiveness may not occur in the short-term, but rather only when the scope and scale of exit becomes a threat to the state itself (Hirschman 1978: pp. 103-104; Herbst 1990: p. 186).

During this period of the Zimbabwean crisis, an estimated three million citizens left Zimbabwe – approximately 25-30 percent of the population (SPT 2004b: p. 29 citing AP 15 February 2004; UNDP 2008: pp. 108-111). For many, the option to remain in Zimbabwe was not seen as an economically and/or politically viable alternative. Amongst those who left were many of Zimbabwe's most qualified professionals (e.g. teachers, nurses) (Crush and Tevera 2010: pp. 12-13; UNDP 2008: p. 110 citing Kirk 2004; SPT 2004b: pp. 29-31) and many others of working age (UNDP 2008: p. 110 citing Bloch 2005 and Makina 2007).

Mass exit may also significantly alter the demographics of a population. This author recognises a specific impact of these demographics for the collective action

challenge that is the 'State's Dilemma'. As a consequence of mass exit, the dependency ratio, i.e. the number of dependents per one hundred persons of working age, may increase. In the case of adult out-migration from Zimbabwe, a higher dependency ratio means therefore that a higher percentage of the population is either likely to be too young to vote, and/or are elderly. In the context of the strategic interdependence that is linked to electoral performance, this change in the dependency ratio would ease the 'State's Dilemma', for the size of the group needed to achieve the 'step-good' would be smaller. By 2004, approximately one-half of the voting population had emigrated and was unable to vote (SPT 2004b: pp. 9, 32), while a member of the Reserve Bank of Zimbabwe's Publicity Committee put the percentage at an even higher level: "60% to 70% of Zimbabwean adults who should constitute the productive population are living abroad" (SPT 2004b: p. 2 citing Herbert Nkala, September 2004). Zimbabwe's 2002 census revealed that approximately 50 percent of its population was under the age of 18 and a further 630,000 people were over the age of 60 years (IOM 2009: p. 28 Table 6, author's calculations). Domestically, these Zimbabweans were more likely to have been dependent on access to state resources (e.g. food aid) in the face of high levels of poverty, unemployment and economic collapse, although remittances from abroad were also often an important source of income for those remaining in Zimbabwe (UNDP 2008: pp. 111-113).

In the short-term, mass exit, and the demographic changes it may bring, may be advantageous to a governing regime. These advantages may take two forms. First, voluntary exit removes some sources of dissent (SPT 2004b: p. 32; Hirschman 1986: p. 91 and *ibid*: 1978: p.102), as opposing voices demanding change leave Zimbabwe.

Second, the governing regime faces a reduced burden in terms of public goods provision. ZANU-PF's Organising Secretary said it most starkly: "We would be better off with only six million people, with our own people who support the liberation struggle. We don't want all these extra people" (SPT 2004b: p. 2 citing D. Mutasa, August 2002).

While migration may remove sources of dissent, Hirschman's findings now need to be qualified, due to developments in information and communications technologies. These developments allowed Zimbabwe's opposing voices to communicate easily and cheaply across borders (e.g. via websites, podcasts etc.) and to also by-pass institutional rules that restricted the freedom of speech. Both of these points are discussed further in the next chapter. Voluntary exit may also be subject to the institutional rules regarding citizenship (e.g. whether dual-citizenship can be held, loss of citizenship or residency following an extended absence), which may impact the ability of these Zimbabweans to return (UNDP 2008: p. 123). These institutional rules may therefore remove these opposing voices from both current and future electoral challenges.

Second, mass, voluntary exit facilitates the provision of public goods to a smaller population, thus potentially reducing future dissatisfaction that can trigger the action-choice of voice (Pfaff 2006: p. 27). The ZANU-PF regime faced resource constraints, as external financing from international development donors decreased during the crisis (UNDP 2008: p. 47), and as the turbulence generated by the 'fast-track' land reform programme (see below) affected the commercial agricultural economy directly and the larger economy indirectly. Beyond the reduced availability of financial

resources, corruption and economic mismanagement also reduced public expenditures and revenues (UNDP 2008). With fewer resources available, and many resources needed to help retain support, a smaller population was advantageous to resolving the State's Dilemma. As discussed in the following chapters, the institutional rules governing several public services (e.g. policing, food aid) were altered to allow for limited resources to be targeted in a partisan way, i.e. to privilege ZANU-PF supporters.

### **Forcing Exit, and Situations of No-exit**

Mutasa's statement "We would be better off with only six million people..." cited above, speaks to the strategic value of a smaller but more loyal population. By reducing the cost of exit, members of the regime encouraged (or forced) exit over the action-choice of voice. Forced exit or expulsion, is an instrument "... used to restrict voice" by members of a political party or organisation (Hirschman 1970: p. 76), and it is also a means, used by the state to reduce collective dissent (Lichbach 1995: p. 107; Hirschman 1978: pp. 91-93). Herbst (1990: p. 202) however, recognises that, more broadly, restrictions on voluntary and forced exit were "fundamental" elements of state consolidation, as these restrictions helped to define borders and project sovereignty.

Externalities may also limit the option of exit. The consequences of foreign policy is one example cited by Hirschman (1970: p. 101) and is an example relevant to the Zimbabwean crisis, with its sanctions and their consequences. In these situations, any exit decision will need to factor in the possibility of continuing decline (Hirschman 1970: pp. 101-102) and the costs arising from this possibility will be factored into

decision-making as a benefit of remaining loyal. If the benefit of loyalty increases along with membership costs, then "...the motivation to exit need *not* become stronger as deterioration proceeds" (Hirschman 1970: p. 103).

A "no-exit" situation may also exist. In the economic arena, monopolies mean that exit is, *de facto*, unavailable as an option (Hirschman 1970: pp. 55-63). Kinship ties, or immovability of property, for example, may render the costs of exit too high or too difficult (Hirschman 1986: p. 79; 1970: p. 33). In communities where norms place high value on the maintenance of these ties, and/or, where kinship ties are critical elements of an individual actor's social and economic "safety net", these ties may take on greater weight. Zimbabwe would be one example, as are many other Sub-Saharan African countries, where these considerations will reinforce the costs of exit.

In this dissertation, 'forced exit' is defined as the intentional, physical displacement of others from homes and/or economic activities. Business discussions often refer to firms, entrepreneurs, or other actors, "exiting" a market (e.g. Brazil) and/or a productive activity (e.g. halting production of a specific model or product line). Hirschman discusses voluntary exit from specific consumer markets (Hirschman 1970: pp. 55-60), although his argument could also apply to specific *producer* markets. Crisis reporting and studies speak of forced physical displacement, as actors flee violence or natural disasters. This definition reflects these broadly understood situations of exit and displacement, and includes both elements of economic activity and physical relocation.

This definition while drawing upon Hirschman's original analysis about exit, is more heavily influenced by Lichbach's (1995) identification of *solutions* to collective



action challenges. This dissertation analyses 'forced exit' as a solution, deployed during the Zimbabwean crisis, not only to specific geographic areas (e.g. 'no-go' zones), but also to actors within specific economic sub-sectors, i.e. commercial agriculture and the private press in Zimbabwe. For the state, a solution of 'forcing exit' is a "tactic to reduce collective dissent" (Lichbach 1995: pp. 106-107). In light of the collective action challenges facing individual members of the ZANU-PF regime, it is not surprising that the solution of 'forcing exit' from homes and livelihoods was deployed against their political opponents.

## **Summary**

This dissertation introduces to the discussion of this Zimbabwean crisis the theoretical framework of rational choice institutionalism, and the works of both Hirschman and Lichbach. While rational choice theory focuses on strategic decision-making, rational choice institutionalism focuses on how the strategic choices and decisions of actors are influenced and shaped by institutions. Institutions matter to outcomes, for they structure choices and have important distributional consequences. This period in Zimbabwe involved significant contestation over demands for institutional reform and, also about the maintenance of institutional stability.

Due to the attention that rational choice institutionalism draws to collective action challenges, I identified that the members of the ZANU-PF regime faced the specific collective action challenge that is known as the 'State's Dilemma' (Lichbach 1995: pp. 256-258). This analysis and examination of this dilemma in the Zimbabwean

context, and the analysis of the strategic use of institutional reform to maintain distributional advantage by the members of the ZANU-PF regime, are new contributions to the literature about this period of the Zimbabwean crisis.

This chapter asserted that members of the ZANU-PF regime are actors in situations of strategic interdependence, with the rewards of each varying, *and affected by*, the choices and decisions of others (Knight 1992: p. 48 citing Elster 1986: p. 7, emphasis added). The chapter discussed the situations of strategic interdependency that exist, and how this inter-dependency generated, for members of the governing regime, the collective action challenge that is known as the 'State's Dilemma'. The State's Dilemma is the challenge of sustaining needed support, when the interests of the state's supporters may align otherwise (Lichbach 1995: pp. 256-258).

Institutions were defined as "...a set of rules that structure social interactions in particular ways" (Knight 1992: p. 2), and the alternative conceptual approaches to discussing institutions were analysed and discussed. Although not selected, it was recognised that the definition of institutions as equilibria was important and that it revealed the structural equilibrium behind the demands for constitutional reform made by many Zimbabweans, particularly the NCA and its allies. Similarly, although the approach of defining institutions as norms was not selected for this dissertation, its relevance to this period was discussed, as the MDC and civic allies sought to have norms of constitutionalism, rights and democracy institutionalised, while ZANU-PF and its allies sought to sustain the current institutions anchored in their liberation struggle rather than Zimbabwe's post-independence *Constitution*.

However, the approach of defining institutions as rules was selected due to the role of formal rules in defining the powers of many positions and actors; its emphasis on rewards and sanctions [penalties] as key constraints on actors. Non-compliance was a central concern in this contestation over institutions, whether it was non-compliance with the *Lancaster* agreements or the non-compliance with Zimbabwe's *Constitution*. Only in the definition of institutions as rules is there an 'or else' consequence (or penalty) that both helps shapes expectations and choices, as well strengthen compliance.

Two other analytical elements were discussed in the first half of this chapter. The first was the participation of actors in groups, and the dynamics of group membership (including decision-making rules and processes). Second, the analytical implications of uncertainty – whether about actor's status within the group, or about institutional alternatives and their consequences and outcomes, were also highlighted, and their relevance to the situation in Zimbabwe was discussed. Both are relevant to this discussion of the Zimbabwean crisis, and are highlighted due to the theoretical framework of rational choice institutionalism.

The second half of this chapter introduced Hirschman's framework of the action-choices of exit, voice and loyalty. It discussed the institutional and group elements of the same, linking Hirschman's analysis, and its subsequent analytical developments, to the broader arguments of this dissertation. This author argues that the three action-choices are foundational to analysing an actor's response in situations of contentious collective action. This dissertation will demonstrate in the following

chapters, the role of strategic institutional reform in altering the dynamics of exit, voice and loyalty.

The next chapter specifically addresses the action-choice of 'voice', i.e. the expression of dissent, rather than support. This action-choice therefore only represented a portion of the public debate and contestation underway in Zimbabwe. ZANU-PF's own 'patriotic narrative' was introduced in this chapter and will be compared against 'voice' in the next chapter. The next chapter will now also examine the specific institutional reforms to the freedoms of expression, association, assembly and movement, and the print media sector.

### **Chapter Three: Targeting the freedoms that support 'Voice'**

This chapter is the first in the second half of the dissertation. This chapter, along with the two following, sets out the argument and evidence to support this dissertation's assertion that the members of the ZANU-PF regime strategically reformed institutions in order to resolve their specific collective action challenge known as the 'State's Dilemma'. The chapter discusses Hirschman's construct of the action-choice of voice in more detail, and comparatively assesses it against the narrative of patriotic history, developed by members of the governing regime against this action-choice. The chapter continues with an analysis of the institutional reforms made in Zimbabwe's media sector. These reforms strategically supported the regime's continuing distributional advantage in the access to, and dissemination of, information.

This author identified that there are four freedoms that support the action-choice of 'voice': the freedoms of expression, assembly, association and movement. Each of these freedoms are defined through institutional rules, and it is the strategic deployment of institutional rules to suppress dissenting voices, whether articulated through 'horizontal' or 'vertical' voice, that is the focus of this chapter. These reforms, by intensifying the mobilisation challenges faced by Zimbabwe's political opposition, contributed to easing the 'State's Dilemma'.

#### **Voice, Dissent and Collective Action:**

'Voice' is one of the three action-choices available to consumers, members of an organisation, or to citizens of a state, *in situations of declining satisfaction* (Hirschman

1970, 1978, emphasis added). It is the expression of dissent, and the action-choice of voice may be defined as "...any attempt at all to change, rather than to escape, from *an objectionable state of affairs*, whether through individual or collective petition [to internal leadership].... or through various types of actions and protests, including those that are meant to mobilise public opinion"(Hirschman 1970: p. 30 emphasis added). The action-choice of 'voice' is therefore a sub-set of the larger debate and discourse that occurs within families, communities, organisations, groups and/or at the national level.

As discussed in the previous chapter, the action-choice of 'voice' interacts with both the action-choices of 'exit' and 'loyalty'. As an action-choice, 'voice' carries uncertainties as well as direct and/or indirect costs (Hirschman 1970: p. 77), including when it is expressed within an organisation or group. **A key uncertainty is the effectiveness of voice**, i.e. its ability to influence change. The strategic choice to give voice will therefore be determined, not only by the direct and indirect costs of giving voice, but also the prospects for success, the actor's degree of loyalty, and to the availability of the exit option, as the action-choice of exit carries both greater certainties, and potentially lower costs, for the actor (Hirschman 1970: pp. 37, 77). Within groups, in those situations where the exit option is available, loyalty should activate voice, and thus defer exit from the group (Hirschman 1970: p. 77).

Loyalty will encourage influential actors within the grouping or organisation to give voice, when they are dissatisfied with the directions taken. For those who are less influential, their loyalty will reinforce expectations that "someone will act or something will happen to improve matters", including in political situations where dissatisfaction

is directly related to the direction that the country is taking (Hirschman 1970: p. 78 emphasis in the original).

The Zimbabwean *Constitution* guarantees the freedoms of expression, assembly, association and movement, and therefore the right to give 'voice' (Zimbabwe 2000: Articles 19 to 22; Zimbabwe 2005 and 2007). These constitutional rules structure the relations between Zimbabwean citizens and the state. Further, these rules are backed by various international instruments (e.g. UN Declaration of Human Rights, International Covenant on Civil and Political Rights), to which Zimbabwe, through conscious choice, decision and action, voluntarily became a signatory.

Zimbabwe's *Constitution* is complemented by specific pieces of legislation (e.g. the *Public Order and Security Act*, the *Private Voluntary Organisations Act*) that further define the rules relating to the freedoms of expression, assembly, association and/or movement, either in specific contexts (e.g. public gatherings) or for specific types of organisations. Other legislation (e.g. the *Broadcast Act*) also codify the rules that structure the participation of the various actors in the Zimbabwean media sector. The media sector is important, both because of its amplification of voices, debate and discourse; its contribution to agenda-setting; and, to the enjoyment of these freedoms by those who wish to express their opinions publicly.

Individuals can also express their views towards others, whether family, colleagues or simply to a public. The freedom to express views, and the opportunity to support or oppose those other views, are not only examples of freedom of expression, but may also be examples of '**horizontal** voice', i.e. the "...the utterance and exchange of opinion, concern, and criticism *among* citizens" (Hirschman 1986: p. 82 citing

O'Donnell 1986, emphasis in the original). When those views, concerns or complaints are communicated to the authorities, it becomes an example of '**vertical**' **voice**, defined as "...an actual communication, complaint, petition or protest *addressed to the authorities* by a citizen, or more frequently, an organisation representing a group of citizens" (*ibid*: emphasis added).

This analytical division of Hirschman's concept into two different types of voice is very relevant to this analysis of the Zimbabwean crisis, and is also a theoretical advance on Hirschman's original work. Both types of 'voice' retain the focus on the expression of dissatisfaction. During the Zimbabwean crisis, the voices demanding change and reform, regardless whether those voices were individual, collective (e.g. the MDC) or aggregated (e.g. Zimbabwe Crisis Coalition, ZCTU) are examples of 'vertical' voice. It is the strategic deployment of institutional rules to suppress dissenting voices, whether articulated through 'horizontal' or 'vertical' voice, which is the focus of this chapter.

Post-independence, the veterans of the liberation war mobilised and protested their situation, and later, also the diversion of allocated welfare funds to corrupt members within the regime (Sadomba 2008: Chapters 3 and 4; Kriger 2003; Meredith 2002: pp. 133-145). These protests by the war veterans' movement and the movement's evolving relationship with the members of the ZANU-PF regime (Sadomba 2008) emphasize two important points regarding the action-choice of voice.

First, it is *both* the substantive content being expressed and also the *actor to whom it is being expressed* that determines whether public comment, debate or discourse could be considered as the action-choice of 'voice'. For example, the war



veterans' protests, as they sought to improve the welfare of the veterans through increased allocation of resources and greater recognition by the state (Sadomba 2008: pp. 85-93), are examples of 'vertical' voice. However, statements or actions by the ZNLWVA, *in support of* the ZANU-PF regime, would *not* be defined as 'vertical voice', for the action-choice of voice is about the expression of dissent, rather than support.

Second, the views expressed by strategic actors (e.g. ZNLWVA), and the actions taken (e.g. petition, protest, violence, support), may vary temporally. Strategic actors may adjust their views and actions over time, as new information becomes available, altering preferences and choices. Group cohesion may be affected, with some choosing to exit the group, and/or form their own. Demonstrated responsiveness by the authorities to the concerns expressed may alter the need for, or the intensity of the action-choice of voice. For example, when the ZANU-PF regime responded with improved pensions or access to land for the veterans, many of the protests then stopped (Sadomba 2008: p. 93). Variance in the views and/or actions of strategic actors may also result, as McGregor (2002: pp. 10-11) notes with respect to the ZNLWVA. Finally, it is important to note that strategic actors may also, for example, be supportive of policies in one area (and therefore their engagement would not be defined as the action-choice of voice) while critical and protesting in other issue areas.

'Horizontal' voice, through the information it communicates amongst citizens, may have an effect on a governing regime without becoming 'vertical' – for example via its impact on public opinion (Hirschman 1986: pp. 82-83). 'Horizontal voice' is thus broader in scope and content than 'vertical' voice. It simply exists in its own right, that is, as an exchange of views amongst citizens with no further, intentional action

taken to communicate with the authorities. The media, and/or other organisations or groupings, may facilitate the dissemination of this voice, contributing to formation of public opinion.

By both increasing the information available to other actors, and by reducing the isolation amongst actors, this horizontal exchange and discussion provides a basis for mobilisation. For this reason, Hirschman (1986: p. 82) argues that 'horizontal' voice is a "...necessary pre-condition..." for 'vertical' voice. New groups may also form to counter this organised expression of 'voice'. For example, the Zimbabwean teacher forced out of her job, may find, via discussion among colleagues that she is not alone, but rather part of a larger crack-down on teachers. She may therefore join an existing protest or advocacy group, or new ones may be created, knowing that others share her concerns.

The freedoms of expression, assembly, association and of movement are fundamental to the development, mobilisation and exercise of *collective* voice, whether horizontal or vertical. These freedoms, created through institutional rules, permit the discussions amongst citizens to expand beyond the smallest, local and most private of groupings. These freedoms guarantee that the aggregation of voice can occur without incurring additional penalties (e.g. arrest or fines), therefore contributing to mobilisation. To act on specific concerns, citizens and/or residents may choose to come together to either join efforts (e.g. to form an issue-based alliance) or to protest (e.g. in a strike or a demonstration).

Mobilisation occurs when "...effects and experiences are converted into organised efforts to bring about change" (Stone 2002: p. 217). The political opposition

in Zimbabwe mobilised to amplify their demands and to increase their influence in advance of Zimbabwe's elections, the key 'step-good', that represented a time-bound collective action challenge for the members of the ZANU-PF regime. In contrast, the regime sought to dampen the expression of 'voice', both in its 'vertical' and 'horizontal' forms, for the expression of dissent exacerbated their own collective action dilemma of retaining support for the *status quo*.

The media sector is a critical sector, both through its communication of voices and its conveyance of information that helps strategic actors to understand and develop expectations about the behaviour of others. The sector has the power to influence public opinion, including on specific issues (e.g. Chari 2010: p. 134) and thus to also influence mobilisation. The private press, through its communications on constitutional reform and alternatives, would generate increased uncertainty for members of the regime, through its amplification of these discussions. "The ZANU-PF government noted that they had been defeated [in the constitutional referendum] partly due to the mobilising effect of the *Daily News*..." (Dombo 2014: p.246). This dissertation notes that institutions affect decision-making, including through two mechanisms, sanctions (penalties) and information, and both are essential to the formation of actors' expectations, and to making strategic choices (Knight 1992: p. 49).

Following independence, the concept of 'developmental journalism' was introduced, whereby the media sector was seen as an instrument to convey and mobilise new societal values to help advance Zimbabwe's social and economic goals (Moyo 2004: p. 17; Moore 2011: pp. 62-63; Mazango 2005: p. 47). Media was to be an

ally to, rather than a critic of, the state (Moyo 2005: p. 112). Over time, this approach both narrowed the range of issues discussed and empowered the government to define what was in the public interest (*ibid*).

Institutional reforms were also introduced to ensure that Zimbabwe had a media sector that would serve the needs of the Zimbabwean majority (Moyo 2004: p. 16), but informal rules and norms were also important in shaping the media sector.

‘Developmental journalism’, was supported by both broadcast and print media actors holding memberships in the ZANU /ZANU-PF party, reinforcing the links between the key actors in the sector (Moyo 2004: p. 18 citing N. Shamuyarira in Mosia *et al.* 1994: p. 18). Both Moyo and Mukasa argue that the Zimbabwe's new media structures became strategic instruments to mobilise support for ZANU-PF's programmes and priorities (Moyo 2004: p. 18) and to serve and protect the interests of the ruling black elite (Mukasa 2003).

Party membership and networks are significant, for they facilitated coordination amongst actors, within, and external to, the media sector. This helped to create a strong capacity to control the message. By removing veto-players, not only are constitutional and partisan roles blurred, but agenda-setting may also be simplified. However, in the literature reviewed, no author explicitly identified that these overlapping memberships also removed key veto-players from within the sector (Tsebelis 2002). The acquisition, by the governing regime, of agenda-setting powers, through both formal and informal means, was documented through Zaffiro's (2002) study, although he does not use this term.

Post-independence there remained several continuities in the governance of the media sector, including the retention of some key elements of the Rhodesian approach. These included the practices of political appointments, political control of media content and journalists, as well as restrictions on media access for opposition actors (Zaffiro 2002: p. 76; Moyo 2004: p. 16). These studies help to put the events of 2000-2008 in a broader context, but also highlight the role that institutional reform (or stability) played in sustaining distributional advantage in the media sector. Moyo (2005) discusses the continuities in broadcasting monopolies, while Dombo (2014) discuss the continuities in suppression of the private press. The Media Monitoring Project of Zimbabwe (MMPZ) documented (e.g. MMPZ 2001, 2003, 2005a) the restrictions on access to media by Zimbabwe's political opposition, and Msindo (2009) discussed Rhodesian efforts to restrict access to media by the nationalist movement.

Still, by the mid-1990s, a more robust private press had developed, with private ownership and new daily papers emerging to complement the existing weekly or monthly titles (Dombo 2014: pp. 150-154). Economic liberalisation had encouraged new investment in the media sector (Chari 2010: p. 133; Dombo 2014: p. 152) while a period of political liberalisation had enabled a private and increasingly critical press to develop (Nhema 2002: pp. 134-136; Dombo 2014: pp. 152-156). Broadcasting (TV and radio) remained, however, firmly within government hands (Mudavanhu 2014: p. 13 citing Moyo 2012a: p. 182 and Chiumbu and Moyo 2009: p. 180).

These sectoral developments had important effects on the availability and reliability of information in Zimbabwe. The private press reported on issues that did not appear in the government-owned press, including key issues such as corruption,

declining living standards and Zimbabwe's military engagement in the Democratic Republic of Congo (Zaffiro 2002: pp. 127-128; Chavunduka 2002: p. 283; Chari 2010: p. 133). Through reporting in the private press, greater understandings of the election processes, constitutional reform were achieved, and a deeper freedom of expression existed (Moyo 2005: p. 114; Dombo 2014: p. 179).

This new content, as well as the publication of alternative viewpoints on issues and events, expanded the information publicly available. The reliability of information also increased, as Zimbabweans were able to triangulate information across different media and other sources, important as the polarisation within the sector increased. The broader range of media reports contributed to Zimbabweans' rising dissatisfaction, and thus increased political pressure, on regime members (Nhema 2002: p. 136). Moyse (2009: p. 53) also argues that the 2000 election results demonstrated "...the important role the private press played in providing sufficient information for the electorate to make up their own mind".

The availability of reliable information, in the context of collective dissent, is also an important input into mobilization. The rules regarding the media sector fundamentally enable, or constrain, the availability and reliability of information to Zimbabweans. Decision-making whether it is on 'everyday' issues, their choice of elected representatives, or, as seen in the constitutional debates, the institutional alternatives available, is affected by unreliable and/or the lack of information. A public opinion survey undertaken prior to the 2000 constitutional referendum, underscored the importance of the media in informing Zimbabweans about the draft constitution. Over one-half of Zimbabweans surveyed (53.3 percent) obtained information about the draft

constitution through the media (radio, TV and/or print), far out-distancing the constitutional commission or friends/families as sources of information (MPOI 2000 p. 5 Table 3).

The reliability of information about external events may be affected by strategic biases in what is *not* reported, or through strategic delays, errors or omissions in specific content (e.g. the size of the crowd at a political rally). Reliable information contributes to the aggregation of experiences (e.g. of political violence) and/or concerns (e.g. declining living standards). It communicates events (e.g. past or future protests) and the organisations or groups (e.g. political party, NGO) that are elements of an organised effort to bring about change.

The strategies to control the flow of information, both through the print and broadcast media, and through the restrictions on the four freedoms/no-go zones, helped to resolve the State's Dilemma by facilitating the retention of support for the *status quo* and by exacerbating the MDC's challenge of mobilisation. Specific examples are discussed below.

### **Patriotic History, Patriotic Narrative and the Action-Choice of 'Voice':**

The previous section of this chapter, has discussed the action-choice of 'voice', and the analytical developments introduced by O'Donnell. The section also discussed the evolution of Zimbabwe's media sector, and how the reforms to the sector, meant, that by the late 1990s, there was an increased availability and some additional reliability of information. This analysis demonstrates that the action-choice of voice

varies from patriotic history. Patriotic history and the concept of a patriotic narrative are now introduced, and their variations with the action-choice of voice are now discussed across four critical dimensions: source, target, role and substantive content.

From a policy perspective, 'patriotic history' maybe seen as a causal story (Stone 1989; 2012). In this perspective, it is not 'history', but a political narrative anchored in historical events and legacies. For clarity, the term 'patriotic narrative' will be used. From this public policy perspective, it was a non-institutionalist strategy that was used instrumentally to frame the issues of electoral debate within Zimbabwe, and to help mobilise support domestically and externally. The concepts of patriotic history and causal stories are now introduced, and the patriotic narrative's variance with the action-choice of voice is then discussed. Both the argument of patriotic history as a causal narrative and the analysis of the patriotic narrative against the action-choice of 'voice' are contributions to the literature.

Throughout the period under discussion in this dissertation, in Zimbabwe, there was also a nationalist political narrative, which Ranger (2004) defined as "patriotic history". This narrative was important in the context of the Zimbabwean crisis itself, for it was developed and communicated by ZANU-PF to Zimbabweans, helping to influence public opinion and seeking to retain ZANU-PF's political support, both at home and abroad (Tendi 2008: p. 389; Raftopoulos 2002: p. 415). It was also discussed by Zimbabweans themselves, and within academic circles (e.g. Tendi 2008), attracting not only some support, but also some criticism. When it was the subject of debates and discussions of concern and criticism *amongst citizens*, it may be considered an example of horizontal voice (O'Donnell 1986).



Patriotic history has been debated within the literature on the Zimbabwean crisis, both for its historical content and accuracy (Ranger 2004) and for its legitimating role (Kriger 2006). Stemming from ZANU/ZANU-PF's history, liberation struggle and revolutionary commitment, patriotic history:

"...proclaims ZANU-PF alpha and omega of Zimbabwe's past, present and future. Zimbabweans are encouraged to be 'patriotic', which means supporting ZANU-PF. Anything short of this is considered 'unpatriotic'. Patriotic history has four main themes: land, no external interference 'western ideals' such as human rights, race and a 'patriots' versus 'sell-outs' distinction". Tendi (2008: p. 379)

This definition, however, misses the important distinctions within patriotic history as to who is a 'Zimbabwean'. Ranger (2004), Kriger (2006) discuss the racial divisions within 'patriotic history', while Tendi (2008: p. 380) calls it "race essentialism...Zimbabwe is for black Zimbabweans and Africa for black Africans", in contravention of the freedom from discrimination set out in the Zimbabwean *Constitution*. Mlambo (2013) discusses racial divisions, and patriotic history, more broadly in terms of the construction of a Zimbabwean identity.

Patriotic history, however, also makes further distinctions, even within the black Zimbabwean community. It defines 'patriots' as those who fought in the liberation war and continue to advance its objectives (as defined by ZANU-PF), whereas it brands as 'sell-outs' are those who did not fight, and/or who oppose ZANU-PF's continuing hold on power (Tendi 2008: p. 380; Mlambo 2013; pp. 61-62; Mazango 2005: p. 43). There was also an ethnic dimension to 'patriotic history', one built around Mugabe's Shona

people, the largest ethnic group in Zimbabwe (Mlambo 2013: p. 51 citing Ranger 2010: p. 505).

Together, these distinctions constructed, from the regime's perspective, who is a legitimate Zimbabwean, with political implications for the contestation in Zimbabwe, and social implications for the country. This narrowed version of the liberation struggle, neglected the role of the trade unionist movement in the liberation struggle with implications for the MDC's legitimacy, and that of its leader Morgan Tsvangirai, who emerged from trade union roots (Ranger 2004; Kriger 2006; Dansereau 2003: p. 185). With its racial targeting, it excluded both the white-Zimbabwean commercial farmers and, by association and history, their farmworkers, many of whom immigrated (or were descendants of immigrants) from neighbouring countries. And, until the *Third Chimurenga*, was constructed, it also excluded younger Zimbabweans, a significant percentage of the population (see next chapter) who had not fought in the liberation war.

Causal stories are one of several different means of defining political problems and assigning responsibility for them (Stone 1989). From a public policy perspective, they help with choices, the identification of alternatives, agenda-setting, decision-making and the mobilisation of support (Stone 1980; 2012; Majone 1992), and a body of research discusses their uses in both domestic and international settings. There are several different types of causal stories (Stone 1989; 2012), but that put forward as ZANU-PF's patriotic narrative could be categorized as one of "intentional cause", one of the most "powerful" types of causal story, for it "...casts someone as wilfully or knowingly causing harm" (Stone 2012: p. 209). Causal stories are important politically

for both their assignment of responsibility for causation and/or, for solutions. A notable feature of ZANU-PF's patriotic narrative, was the assignment, to Britain, to the 'West' and its values (e.g. human rights), of responsibility for many of Zimbabwe's problems.

Through the framing of the electoral battles and contestation in Zimbabwe as the '*Third Chimurenga*' and therefore as the continuation of the liberation struggle, the senior members of ZANU-PF clearly positioned themselves as the protectors of the liberation struggles' legacy and goals. Their narrative was anchored in ZANU-PF's own history and values, but it varied from earlier historical accounts and debates about Zimbabwe's history (Ranger 2004; Tendi 2008; Mlambo 2013). Considering 'patriotic history' as a causal narrative, linked to the electoral contestation, helps to explain the variations in the political expression of Zimbabwe's history and struggle.

Causal stories may be deployed to "protect an existing social order" and to "legitimize and empower particular actors as 'fixers' of the problem" (Stone 2012: p. 224). ZANU-PF's patriotic narrative has referenced the need to "protect the gains of the liberation struggle" (Ranger 2004: p. 219 citing G. Chokowore, *The Herald*, 16/02/2002). Patriotic history was "...intended to proclaim the continuity of the Zimbabwean revolutionary tradition" (Ranger 2004: p. 215). As a political narrative, it therefore helped to frame the elections as a choice between continuing (or not) the process of liberation (Ranger 2004: p. 219 citing G. Chokowore, *The Herald* 16 February 2002).

The collective action challenge is much easier, when you can define the legitimacy of your opponents, for de-legitimisation negatively affects the prospects for the successful use of the action-choice of 'voice'. The MDC and its allies were labelled

as the "puppets", "sell-outs" or "traitors" of the West, de-legitimising their own Zimbabwean history, and also the role of the labour movement in the liberation struggle (MMPZ 2009a: p. 4; Mudavanhu 2014: p. 100; Raftopoulos and Quantin 2001: p. 44). De-legitimising actors may also de-legitimise the issues, alternatives and choices they present. —

Finally, it is worth noting the access to selective benefits that accrued to 'patriots', for they are an explanatory element that contributes to our understanding the mobilising effects of the patriotic narrative. Kriger (2006) argues that the patriotic history was used to legitimate the access to power and resources. In the context of this period, and ZANU-PF's collective action challenge of retaining support, this argument speaks to both the competition for distributional advantage and to the intentionality of action, with the patriotic narrative playing an important functional role of legitimisation (or de-legitimisation) of beneficiaries. This patriotic narrative, by helping to communicate the tangible incentives and penalties associated with being a 'patriot' or a 'traitor' affected the effectiveness of the action-choice of voice, both horizontal and vertical.

For this dissertation and its focus on ZANU-PF's collective action challenge, two other points about causal stories are relevant. First, causal stories may help to develop, solidify or restructure political alliances (Stone 2012: p. 228). This may occur through their definition of problems (e.g. in a way that engages one stakeholder group over another), their identification of solutions or ways forward; and their mobilisation of support. ZANU-PF's patriotic narrative helped to mobilise support, including, for example, from allies in the security sector, and from the SADC neighbouring states.

Second, causal stories are about the framing of issues, and this not only helps to mobilise the political support needed, but also may help to keep alternatives ‘off the agenda’ (Stone 2012: p. 253). Issue-framing is the process of selecting “...some aspects of perceived reality and make them more salient [important or visible]...in such a way as to promote a particular problem definition, causal interpretation, moral evaluation...” (Stone 2012: pp. 252-53 citing Entman 1993: pp. 51-8). The *political and electoral value* of ZANU-PF’s patriotic narrative lay not only in its mobilisation of support, but also in its success in minimising the public debate on constitutionalism, human rights and the institutional outcomes that accompanied it. The MDC’s demands for political and institutional reform were also de-legitimised.

The *sources and substantive content* of the patriotic narrative clearly lay in the country’s colonial history as well as ZANU/ZANU-PF’s liberation experience. It was built upon the racial and economic inequities that had arisen under both the British and Rhodesian rule and had not been fully addressed, nor erased in the post-independence years. This new narrative of patriotic history contained both differences and continuities from other accounts of both the Zimbabwean fight against the British (the first *Chimurenga*) and the war against the Rhodesians for liberation (the second *Chimurenga*), with the roots of patriotic history pre-date the crisis period currently being studied (Ranger (2004 and Kriger 2006). Ranger (2004: p.222 citing Muhaso 16 March 2003) also acknowledges the appeal embedded in the patriotic history narrative to a “deeper, ancestral memory” that contributes to liberation in a broader, pan-African sense.

ZANU-PF's conceptualisation of democracy, as discussed earlier and below, stemmed from its role in the transition to majority rule. It is reinforced by the narrative and its reminder of these struggles. The normative values that arose from ZANU/ ZANU-PF's history as an organisation, and its revolutionary worldview, are also important sources for this patriotic narrative. I do not question that these norms were indeed valued, and that a source of the patriotic narrative was also, therefore, conviction. Indeed, the alignment between this history and this nationalist and revolutionary worldview, would add credibility to the narrative, for it is anchored by past action and statements. These norms and values were important motivators.

However, for this author the source of this patriotic narrative *also* lay in ZANU-PF's interests to retain power. It was a causal narrative *developed in a very competitive electoral context*, and repeatedly deployed (and evolved) in the context of electoral competition. This patriotic narrative was deployed in the context of competitive, multi-party elections, in which the members of the ZANU-PF regime were challenged by 'State's Dilemma', i.e. the need to retain support for the *status quo* when the interests of supporters lie elsewhere. Facing the most significant collective action challenge of their history, the members of the ZANU-PF regime drew upon their own history to rally support and to frame the electoral debate to their strengths – as fighters, as guardians of the liberation struggle, as nationalists. And they succeeded in building this support. and in blunting the effectiveness of those voices demanding change.

The *sources* and *substantive* content of the action-choice of 'voice' are markedly different. As discussed, the action-choice of 'voice' is one of *dissent with the*

*status quo*. In its ‘vertical’ or ‘reformist’ forms, the sources of the action-choice of ‘voice’ are from outside government, for in political contestation, the action-choice of ‘voice’, is directed to the ‘authorities’. In the case of Zimbabwe, the political opposition, civic actors, and ordinary Zimbabweans were the actors giving voice. For many in Zimbabwe, including Morgan Tsvangirai, the action-choice of ‘voice’ was anchored in the principles of democracy, participation, rights and inclusion, and the social and economic frustrations and dissatisfaction of Zimbabweans (Danserau 2003: p. 184; Chan 2005: pp. 24ff; 78-81; McCandless 2011: pp. 48-49, 70-73).

This action-choice of ‘voice’ was also anchored in material interests, such as the lack of jobs, the cost-of-living, and Zimbabwe’s engagement in the Democratic Republic of the Congo at the time of domestic economic pressures (Mumvuma 2006: pp. 250-252; IMF 1998: p. 103; Moorcraft 2011: pp. 135-136). The trade union movement, had a multi-year history of engaging, both at the policy and protests levels on economic matters (Dansereau 2003: pp. 180-184). The coalition built by the NCA has been discussed, including with reference to their mobilisation for institutional alternatives and Zimbabwe’s civic and political opposition also sought different distributional outcomes. As discussed further in the next chapter, Zimbabweans held a strong ‘love of country’ with an attachment to being a Zimbabwean that also helped to motivate this ‘voice’.

The third dimension which varies between the patriotic narrative and the action-choice of ‘voice’ is that of *target*. The patriotic narrative was *publicly disseminated by the members of the governing regime and its allies*, including, through the media and party rallies. In these instances, of communication *from authorities to Zimbabwean*

*citizens*, the patriotic narrative is neither horizontal nor vertical 'voice'. As a causal story, it communicated to mobilise and to coordinate electoral support, as well as international political support. External audiences, notably African neighbours and states, appeared to be a target of ZANU-PF's patriotic narrative, particularly in the early years of this case study, when the land occupations were at their height. With its explicit references to Britain, Prime Minister Blair, and the issue of land and its compensation, it couldn't help but garner international attention. And, ultimately draw Britain into Zimbabwe's domestic politics (Chan 2003: pp. 152-154).

The action-choice of 'voice', as defined and discussed earlier in this chapter, is not a means of 'top-down' communications but is rather 'bottom-up'. It is defined, in its vertical and reformist forms, by the communication of views by citizens towards their 'authorities' rather than the authorities' communicating their views to their own citizens. The target of the action-choice of 'voice' is thus different from those targeted by ZANU-PF's patriotic narrative.

The fourth dimension, upon which the narrative of patriotic history and the action-choice of 'voice' vary, is the *role* of each in the Zimbabwean crisis. This author argues that ZANU-PF's patriotic narrative may be seen as a causal story that helped to frame the electoral issues and debates, and mobilise support, both internal and external. Its role therefore was to help sustain support for the *status quo*. Coming on the heels of the constitutional referendum result, ZANU-PF's patriotic narrative helped to reduce the uncertainty associated with the public discussion of institutional alternatives to ZANU-PF's revolutionary tradition – and their possible outcomes.



Juxtaposed, the action-choice of 'voice' clearly has a different role. As the expression of dissent and dissatisfaction, in this context, the action-choice of 'voice' was clearly to bring about change, not to sustain the *status quo*. Like patriotic history, it too had a mobilising function, although the groups it sought to mobilise were different, and its mobilising strategy was one that was more inclusive and plural. The MDC's manifesto of "change" also had a strong institutionalist component, with attention to rights, the rule of law and constitutionalism (Raftopoulos 2007: p. 128). Given the way causal stories frame issues, and the 'State's Dilemma' faced by ZANU-PF during this period, perhaps the most important role, and contribution, of the patriotic narrative was to keep the public debate focused *away* from these issues – and to remind Zimbabweans (and others) of the struggles and goals of liberation.

This section of the chapter has assessed ZANU-PF's patriotic narrative against the 'action-choice' of voice and discussed their differences across four different analytical dimensions. This discussion is also picked up in chapters four and five, respectively on the issues of loyalty and land. The patriotic narrative was sophisticated and anchored in ZANU-PF's history and worldview. But it was developed in the context of a very competitive electoral environment, and at a time when ZANU-PF faced a very specific challenge. It must be assessed against these realities, and this section has discussed it as a causal story, helping to frame issues and mobilise support. It was successful, and therefore it had an impact of the effectiveness of the action-choice of 'voice'.

Patriotic history was complemented, in the media sector, by what Ranger (2005) and Chuma (2007) both referred to the development of a 'patriotic journalism'. Chuma defines it as:

. "...a form of highly partisan and propaganda journalism which is embedded to the state. It shuns critical debate and shuts out voices other than those of the dominant bloc of the ruling party, except where the former are up for ridicule. It frames political contestation as a matter of simple good and evil." (Mudavanhu 2014: p. 174 citing Chuma 2007: p. 254).

Like patriotic history, patriotic journalism was partisan and divisive, and it was more often 'top-down' from the members of the regime, its agents and allies, and less often 'bottom-up' from citizens. However, Chuma also argues that it faced an 'oppositional journalism' in the private media sector that became a "serious political force" in the early 2000s, strident in its condemnation of ZANU-PF and praising MDC as "the only hope for the future" (Mudavanhu 2014: pp. 72-73 citing Chuma 2008: pp. 32-33). The contestation in the media sector, in terms of substantive media content, was therefore primarily between patriotic and oppositional journalism. This both reflected and advanced the contestation within Zimbabwe itself.

This oppositional journalism and press may be seen as both horizontal and vertical voice, as they communicate (well-founded or not) dissent to the authorities (Hirschman 1986 p. 82 citing O'Donnell 1986). The institutional reforms discussed in this chapter created the institutional basis that facilitated the amplification of the narrative of patriotic history while also sustained the regime's informational advantage. The intentional rules adopted under the AIPPA and POSA, meant that criticism of the President and the regime became a criminal offence, and curtailed this

expression of voice. Both Chuma (2007) and Moyo (2005) observe that the polarisation in Zimbabwe affected journalistic ethics, on both sides of the media, to the detriment of contributing to a well-informed electorate, while Tendi (2008: pp. 390-391) also raises this challenge in the context of Zimbabwe's public intellectuals.

ZANU-PF's patriotic narrative was *publicly disseminated by the members of the governing regime and its allies*, including through the state-owned broadcast and print media, as well as at events such as party rallies. It was however, underpinned by institutional reforms that also suppressed the expression of the action-choice of 'voice'. These institutional reforms are now discussed, with due attention to the alterations in both permissions and penalties.

### **Actor selection, permissions and penalties in the media sector**

This chapter has already asserted that the institutional rules defining the freedoms of expression, association, assembly and movement are fundamental to the action-choice of voice. For it is these institutional rules, that enable the development and aggregation of collective voice, including through mobilisation. This section's analysis and discussion demonstrates the multiple institutional reforms were introduced, by the members of the ZANU-PF to suppress actors that could have challenged, and/or mitigated the regime's informational advantage. By using the research questions in the lines of enquiry developed for this dissertation, the analysis highlights that these institutional reforms altered the incentives and penalties within the media sector, and therefore the effectiveness of the action-choice of voice within

Zimbabwean society more broadly. These reforms also reduced the uncertainty faced by members of the regime.

The literature on Zimbabwe's crisis has discussed the constraints the members of the ZANU-PF regime imposed on both the private press and the limits imposed on MDC and other civic actors (e.g. banning of their rallies). However, these measures have not been fully assessed, or discussed, through the lens of rational choice institutionalism. An analysis of the reforms reveals that they provided the members of the ZANU-PF regime with strengthened powers to select actors, increased the monitoring of actions (noticeability), reduced permissions and strengthened penalties for non-compliance. This discussion is a contribution to the literature for its focus not only on these specific elements and their intentionality, but also for its discussion of their consequences for collective action.

This discussion focuses on the rules and permissions of the media sector itself, including, for example, who is eligible to participate in the sector, under what conditions, the incentives or penalties, and with what consequences. These rules and permissions, in turn, affect the prospects of specific issues making it onto the agenda. The media sector is critical to freedom of expression, for although it may be "... clearly enshrined in the constitution, [it] was useless if people did not have access to the strategic medium of broadcasting" (Mudavanhu 2014: p. 53 citing Moyo 2012: p. 486). And in terms of voice, the MDC's Secretary-General, Welshman Ncube, argued that the closure of *The Daily News* was direct attack on the MDC and the opposition forces in general:

"The attack on *The Daily News* is not an attack on the owners of the paper to prevent them from becoming rich and making money... It is principally an attack on the MDC, for the simple reason that if you remove *The Daily News* as a source of news, *you have literally made it impossible for the opposition's voice to be heard by the mass of people.*" (Moyo 2005: p. 114 citing *The Herald* 13 Oct 2003, emphasis added).

The members of ZANU-PF regime introduced reforms that increased their powers of actor selection, and required greater noticeability so as to monitor compliance. These reforms are important, in terms of resolving the State's Dilemma; because the powers of actor selection allow for control of the exit option, in this case, exit from the Zimbabwean media market. The power to force 'exit' reduces the regime's future uncertainty, in this sector that was critical to retaining popular support.

These reforms serve two important roles, first as a signalling device, to help coordinate responsive actions based on problem identification, and second, as means to incentivise compliance. The reformed rules created the institutional basis to promote the narrative of patriotic history. Enhanced noticeability communicates additional information about the actual, or future, actions of specific actors (Olson 1971: p. 45 note 67), reducing the transaction costs associated with monitoring the actions of both allies and opponents. It incentivises compliance through a desire to avoid unwanted attention and responses. In this way it discourages free-riding. These are important gains, particularly in time-bound collective action situations, when resources are scarce and/or the challenge is decentralised across many locations.

For these reasons, strategic decision-makers within the regime, in the face of rising collective dissent, will rationally want a more restrictive licensing regime. New

powers, including the *right of initiative* were created, and the decision-making power was suggested from sectoral representatives to members and allies of the regime. The restrictions were narrowed at two different levels: first, in terms of numbers of actors within the market and second, in terms published content. The powers of *actor selection* allowed the regime to define and enforce who was eligible to work in Zimbabwe's media sector. New requirements for registration and licensing were effective tools to monitor performance and incentivise compliance. Licensing and registration powers, in this case, also restricted competition, and therefore reinforced the monopoly of the state-owned media.

These powers were created under the rules of the *Access to Information and Protection of Privacy Act* (AIPPA) (Zimbabwe 2002a). The strategic timing of the adoption of the AIPPA is notable, for it was signed into law just days after the March 9th-11th presidential elections which saw the MDC achieve over forty percent of the vote, an unprecedented achievement, and an unprecedented threat. The *Act* established and set out the powers of the new Media and Information Commission (MIC). Initial requirements stated that three of the five members of the Commission were to be appointed by media sector actors (e.g. Association of Journalists) rather than government. This direction preserved, on paper at least, a nominal degree of independence. However, in 2003, new amendments to AIPPA transferred majority control of the registration and licensing systems to the representatives and allies of the regime (Zimbabwe 2003a; Zimbabwe 2002a), further tightening control over the MIC itself (Article 19/MISA-Zimbabwe 2004: p. 4). The 2003 amendments also gave the

*right of initiative* to the MIC in terms of inquiries into media actions and orders for redress (Zimbabwe 2003a).

The Commission was endowed with the *power of actor selection*. Journalists required permissions to work in the Zimbabwean media market, permissions that were now held by a partisan MIC. The new eligibility requirements limited accreditation to only those holding Zimbabwean citizenship or permanent residence (Zimbabwe 2003a)<sup>2</sup>. The strategic intentions behind these AIPPA provisions set out by Jonathon Moyo, then the Minister of Information and Publicity. These intentions were very much aligned with ZANU-PF's patriotic narrative: AIPPA was "...meant to protect the sovereignty of the country from mischievous people intending to use local media as a tool for regime change" (HRW 2005a: p. 27 citing MMPZ's Media Weekly Update, 29 November-5 December 2004).

These requirements for journalists and media houses to be registered with the MIC, imposed new obligations on media actors (Crawford and Ostrom 1995: p. 584). Two-year jail terms, and/or significant fines (the 'or else' consequence identified by Crawford and Ostrom 1995) were set as penalties if individual journalists were found to be working without valid registration (Feltoe 2003: p. 14). Prohibitions on non-accredited journalists practicing journalism, or the employment of non-accredited journalists, were strengthened and broadened in the amendments of 2003. In 2007, amendments to the AIPPA eliminated the criminal penalties imposed on unaccredited journalists but other restrictions remained (Zimbabwe 2007c; CPJ 2007). By

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<sup>2</sup> Under the 2003 amendments to AIPPA, this could be waived if the accreditation was for less than 30 days (*ibid*).

suppressing competing voices and narratives, these rules marginalised some key actors that contributed, through their reporting and publications, to mobilising dissatisfaction or by helping to catalyse domestic opposition (e.g. by reporting on different issues, or issues such as corruption in more depth).

Registration and accreditation requirements are barriers to entry to the Zimbabwean media market. They determine which selected actors could report on Zimbabwean issues to Zimbabweans. These requirements generate new uncertainties for private sector media actors. Their approval, also has important communicative value, for new barriers to entry demonstrate both action and the mobilisation of authority – to the members and supporters of the ZANU-PF regime, as well as to those who are opposed it. In these ways barriers to entry help to shape expectations.

For *media actors in the private sector*, uncertainty was generated by these new requirements and obligations. The fixed term nature of the accreditation and licensing validity period created new, mandatory decision-points for assessing compliance. This is an example of rules increasing noticeability. These requirements generated uncertainty related to the current or future standing (or not) of an actor within a group (i.e. media practitioners in Zimbabwe), by providing the governing regime (rather than an independent body) with the powers of actor selection. For the *members of the ZANU-PF regime*, fixed-term validity periods provided with greater certainty. In this case, they created, a rule that encouraged compliance (in order to be renewed). The rule also established a foreseeable end to the perceived problems caused by private and/or external participation in the media market. The barriers to entry meant that



many foreign journalists were prohibited, or others 'exited', from the Zimbabwean media market as their existing authorisation expired.

Coordination between actors within the regime occurred, in order to give effect to these requirements. Those who were "... 'out of favour' with the Ministry of Information and Publicity [were] passed to the Ministry of Home Affairs, responsible for issuing [entry permits]" (Zaffiro 2002: pp. 108-109). Specific voices were suppressed via the denial of entry to Zimbabwe for individual journalists. By May 2003, there no foreign journalists were based in Zimbabwe (Mendel and Mukundo 2004: p. 26). Some left voluntarily (e.g. for refusing to comply with the censorship rules on content, discussed further below, or to avoid the risks of violence and/or arrest). But others were forced to leave if they were found, for example, ineligible for registration or were denied entry (Moyo 2005: p. 120). The foreign correspondents were replaced by Zimbabwean freelance journalists: "...[t]he correspondents are all nationals so that the government can control them easier than an international reporter" (CPJ 2007: citing Wilf Mbanga, editor of *The Zimbabwean*).

The AIPPA also introduced a new barrier to entry at the organisational level (Zimbabwe 2003a), complementing those barriers to entry for journalists. Mass media services were required to be registered by the Media and Information Commission. Throughout the 'chain' of private publication, members of the regime now held the power to select actors through their determination of continuing eligibility (or not) to work and participate in the Zimbabwean media market. The AIPPA also specifically exempted from registration those mass media services that were governed or founded

by an Act of Parliament (Zimbabwe 2002a), thus exempting the government-owned media from these new obligations.

The formal language of AIPPA was actually permissive, drawing on Crawford and Ostrom (1995: pp.584-85), as AIPPA stated that the Commission "...may not refuse..." otherwise qualified applicants (Zimbabwe 2003a). However, since the *Act* allowed considerable discretion in determining the qualifications of applicants, the permissiveness was *de facto* reduced. It was these discretionary powers held by the Minister of Information that transformed administrative requirements into a licensing system (Article 19/MISA-Zimbabwe 2004: p. 8) one that encompassed journalists (author), media title (forum) and media houses (publisher).

Licensing restrictions may also influence media content. This may occur either explicitly "...prohibiting certain kinds of broadcasts, or implicit[ly], as when a government might not renew licenses unless it perceives the broadcasting content as favourable" (Islam 2002: p. 9). Institutions that produce loyalty are "...often meant to repress voice...", while providing 'managers' with greater short-term freedom (Hirschman 1970: p. 92-93). The AIPPA was opposed by some members of the ZANU-PF parliamentary caucus. In issuing its adverse report, the Legal Affairs Committee, in a rare public expression of dissenting voice from within the regime, noted that "...the only possible reason for this provision [registration regime for newspapers] is to impose control by government over mass media owners and their products" (Mendel and Mukundo 2004: p. 4).

Most of the private press complied with these registration requirements, with the *Daily News* being the notable exception (Moyo 2005: p. 120). Like other private press actors, it challenged the constitutionality of the registration requirements in Court. Unlike others it did not register with the MIC, but still continued publishing, thus providing members of the ZANU-PF regime with a legal basis for closing it down and the Court with the basis for dismissing its legal challenge (Moyo 2005: pp. 120-121; Muchena 2013: p. 73).

The broadcast sector provided another example of the strategic reform of institutional rules to maintain distributional advantage, including through the powers of actor selection. In September 2000, the Zimbabwean Supreme Court ruled that the ZBC's monopoly over the airwaves was illegal, and therefore a new radio station, *Capital Radio*, would be permitted to operate in Zimbabwe (Meredith 2007: p. 199; Feltoe 2003: p. 39). The decision re-wrote the rules regarding participation and eligibility in the broadcast sector, removing the barriers to entry. This was a far-reaching decision that would have increased the availability of information significantly in rural areas. In Zimbabwe, 60 percent of the rural population depended on radio broadcasts to receive their information (MMPZ 2005a). This Supreme Court decision put the regime's control of the critical broadcast sector at risk through both greater participation and its impacts on the flow and availability of information.

In the days prior to the Court's decision, communications from members of the regime set out their expectations. The Minister of State for Information and Publicity stated that the government was not planning to liberalize the airwaves (IRIN 2001), while the Minister of Home Affairs stated: "...[t]he days of going to court will soon be

past. We won't accept any resistance" (Meredith 2007: p. 199). Two weeks after the court's ruling, President Mugabe used his special emergency powers to "...sign temporary legislation [assigning to] ...the Minister of State for information and Publicity in the President's Office... the final authority in issuing broadcasting licenses" (IRIN 2001; Feltoe 2003: p. 39). The army shut down *Capital Radio* and the police seized its broadcasting equipment (IRIN 2001).

This legislation was the output of an intentional decision to maintain, rather than accept a change in the institutional rules that structured the actors within Zimbabwe's broadcasting sector. The prompt enactment of this temporary legislation eliminated the uncertainty faced by members of the regime that private broadcasters would, as a result of this court decision, establish themselves in the Zimbabwean market. Given the prospective nature of rules, the court's decision permitting new broadcasting licenses would apply not only to *Capital Radio* but also to any other future applicants. The result was to sustain – for the members of the regime – the distributional advantage in the broadcast sector that arose from the maintenance of these rules. It was not until 2011 and 2012, when the regime had more firmly re-established its hold on power, that any new licenses were issued (Mudavanhu 2014: p. 53; CPJ 2011). The primacy of state-run broadcasting media was thus sustained in Zimbabwe, for a decade, with all of the advantages to the members of the regime that it offered. The legislation was also an intentional act to ignore the *Court's decision*, with negative implications for the rule of law.

Restrictions on external financing for the Zimbabwean press, were also intentional actions that limited eligibility, and therefore also the future choices of

private media actors. They were an institutional reform that negatively affected "...the dissident's supplies or input sources" (Lichbach 1995: p. 49 citing Leites and Wolf 1970: p. 76-78). The restrictions made it "...illegal for local media organisations to receive financial or other material support from foreign individuals or organisations" (Chavunduka 2002: p. 286).

The AIPPA imposed new restrictions on the foreign ownership of print media, and required that foreign owners dispose of their press interests within three months (Zimbabwe 2002a). The *Broadcasting Services Act* of 2003 was also amended the rules to prohibit foreign financing in the broadcast sector (Zimbabwe 2003; Feltoe 2003: p. 39). These restrictions were also introduced after MDC's unprecedented success in the presidential vote. While the rules were broad, the consortium owners of the *Daily News*, co-financed by Zimbabwean, British, South African and New Zealand companies, with 60 percent foreign ownership (Mukasa 2003: p. 177; Moyo 2005: p. 113) were a specific target.

These new rules *withdrew prior permissions* to participate in the Zimbabwean media market and therefore forced the exit of existing foreign owners of the private press. They served as barriers to entry for new owners. As discussed above, these new rules providing certainty for the members of the regime that the existing situation of media freedom would not worsen. Restricting access to external financing, also increased the private media's dependence on domestic financing – at a time of economic crisis and hyper-inflation that both significantly curtailed the purchasing power of Zimbabweans and limited the domestic funds available for business

investment. Moyo (2005: pp. 113-115) discusses the *Daily News'* financial problems, which were exacerbated by these new restrictions.

Between 2003 and 2006, the AIPPA was used to close four private newspapers, including the *Daily News*. These closures reduced both the availability and reliability of information, helping to "conceal grievances" and thus weakening mobilisation (Lichbach 1995: p. 95). The new rules established by the AIPPA, contributed significantly to sustaining the regime's distributional advantage in public information. With information as one of the two critical mechanisms that help shape expectations, and thus choices, of actors (Knight 1992: p. 49), this advantage was significant.

These closures therefore had implications, not only on the size and nature of the media sector, but importantly on the expression of horizontal and vertical voice. The intent of AIPPA's new rules were clear, not only to the Legal Affairs committee of Parliament (as above), but also to Zimbabwean civil society and to Zimbabweans. The Media Institute for Southern Africa (MISA) cited AIPPA as "...one of the most effective legal instruments of state control over the media and civil society communication anywhere in the world..." (IRIN 2004; Institute for Reconciliation and Justice/Solidarity Peace Trust (IRJ/SPT) 2006: p. 16). The news editor of *The Daily News*, William Saidi, stated that *The Daily News* was targeted for punishment:

*"The Daily News* had overtaken the government's newspaper *The Herald* in circulation and was accused of influencing the [presidential] elections in 2002, so *as some form of punishment*, the government decided they would ban *The Daily News*" (CPJ 2004 citing BBC July 2004, emphasis added).

It must be noted however, that this 'exit' of the foreign journalistic community (as well as specific private newspapers) from the Zimbabwean media market, was aligned with the 'patriotic narrative' put forward by the members of the regime. In this regard, it was demonstrated action that matched their stated priorities of sovereignty, and their desire to reduce foreign influences on Zimbabwean politics. There was pressure from within the regime to reduce foreign influences on domestic politics, including in the media sector Dombo (2014) and Moyo (2005). The media sector, with its capacity to influence public opinion was therefore a natural target. These institutional reforms helped to ease the regime's collective action dilemma by mitigating the potential domestic impact of the MDC's international allies (Lichbach 1995: pp. 189-193).

Excluding foreign media actors from Zimbabwe also weakened the availability and sources of information for international audiences and decision-makers (Mazango 2005: p. 43), and therefore also their "...influence [on] foreign opinion and coalitions, which then pressure their governments or international organisations to undertake actions that affect the country..." (Islam 2002: p. 20). However, this 'exit' was somewhat offset by the development of external Zimbabwean news websites and/or by the practice of publishing from other countries (e.g. the UK or South Africa).

Externally-based websites, radio stations and foreign-based publications bypassed the regime's legal restrictions on the private press' operations and the *Broadcast Act* monopoly. They helped to counteract the shrinking democratic space in Zimbabwe by presenting alternative viewpoints and/or different content (Nhema 2002: pp. 91-93), expanding the availability of information. Mazango (2005: p. 50) described them as "...a major source of non-official news", and Mudavanhu (2014: p. 55 citing

Mabweazara 2013) noted the reach of the pirate radio stations within Zimbabwe. Their potential impact was limited by the sky-rocketing cost of living, and rising unemployment, that precluded discretionary spending for so many, and also limited the access to internet services (Nhema 2002: p. 94; Bratton, Chikwana and Sithole 2005: p. 101).

These foreign publications, websites and stations served as the "externalization of voice" that arises as voice *after* exit (Hoffmann 2008: pp. 10-11). They were one strategy that helped to sustain the action-choice of 'voice' and to mitigate the adverse information effects created by the regime's intentional reforms. The regime responded with the imposition of an import tax on foreign publications, as discussed further below (Moyse 2009: p. 51).

This section has discussed the narrowed permissions and increased penalties in terms of actor selection (eligibility) to participate in the Zimbabwean media market and revealed how the re-writing of institutional rules provided members of the regime with control of the exit option. Their approval and implementation, were aligned with the messaging within ZANU-PF's 'patriotic narrative', and exacerbated the civic and political opposition's mobilisation.

Permissions with respect to the *substantive content* produced by, and communicated through media actors, were also narrowed and the penalties for non-compliance were broadened (i.e. applied to more areas) and toughened (e.g. new permitted actions of arrest and enforcement). These content restrictions, reinforced by the broader and tougher criminal penalties enacted under both the AIPPA and the



POSA, sharply reduced the availability of information, and muted the public criticism of the ZANU-PF regime, its policies and the actions of its members. This suppression of opposing voices, and the concealment of their grievances, greatly exacerbated the mobilisation challenges facing civil and political opposition actors and amplified the 'patriotic narrative' of ZANU-PF.

### **Narrowed permissions**

In addition to reforms that provided powers of actor selection, and therefore control of the exit option, new or amended institutional rules also altered permissions, incentives and penalties in the media sector. Permissions define the scope of compliant behaviour, and therefore offer strategic advantages to actors facing collective action challenges. Permissions place the duty to recognize a right, action or outcome on others, and narrowed permissions may limit the actors and actions, that can influence or affect outcomes (Crawford and Ostrom 1995: p. 585). The AIPPA narrowed the conditions under which specific actions (e.g. investigative reporting) or specific content (e.g. criticism of the President) were permitted.

Permissions, incentives and penalties all communicate expectations and/or benefits of compliance, the costs of non-compliance and thus affect decision-making and choice. Under AIPPA, the members of the regime intentionally *narrowed the scope of permissions*, while the penalties for non-compliance were also being strategically *broadened* (i.e. applied to more areas) and *toughened* (e.g. new enforcement actions permitted). As the crisis unfolded, the penalties for non-compliance also included

actions of harassment, violence and torture. In combination, strategic institutional reforms that narrowed permissions, and introduced broader, tougher penalties, negatively affected the prospects for the effective use of voice (Rowe 2001; Brownell 2011: pp. 76-77; Hirschman 1970: p. 136). They greatly eased the collective action dilemma faced by the members of the ZANU-PF regime.

The adoption of the *Public Order and Security Act* (POSA) in 2002 (Zimbabwe 2002b) was the principal institutional reform that narrowed *horizontal* voice, i.e. the communication of dissent among citizens. Put simply, the POSA reduced the scope of both permissible discussion and permissible action in Zimbabwe. This *Act* was adopted prior to the 2002 Presidential elections, demonstrating strategic timing by members of the regime, as they could benefit from its new powers, and their negative effects on mobilisation, as part of solving the collective action challenge they faced in terms of retaining their support and achieving the step-good of electoral success.

For the media sector, POSA markedly narrowed what was permitted to be published, strengthened monitoring and created substantial penalties for non-compliance. The intentional penalties were so significant that they had a deterrent effect for many, therefore supporting compliance. To enforce the specific prohibitions on media content, increased noticeability was introduced through the monitoring and review of published materials. Section 15 of the POSA allowed for up to five years in prison and/or a fine of up to USD\$100,000 for "...publish[ing] or communicat[ing] false statements prejudicial to the state, including undermining public confidence in a law enforcement agency, the prison services or the defence forces of

Zimbabwe" (Zimbabwe 2002b; HRW 2005a: p. 31; Feltoe 2003: p. 19). Section 16 of the POSA made it an offence punishable by up to one year imprisonment and/or a fine of up to USD\$20,000 "...to undermine the authority of, or insult, the president, including making any false statements about, or concerning, the president that could endanger feelings of hostility or cause hatred, contempt or ridicule of the President" (Zimbabwe 2002b; HRW 2005a: pp. 31-32; Feltoe 2003: p. 20). In 2005-06, the POSA's provisions were integrated into the omnibus *Criminal Law Codification and Reform Act*, and more severe penalties of "...up to twenty years in prison and heavy fines for publishing or communicating false information deemed prejudicial to the state" were introduced (Zimbabwe 2005; CPJ 2006). "...[W]hen libel is a criminal rather than civil offense, journalists lean toward self-censorship" (Islam 2002: p. 13).

Legislation triggers obligations for actors, and therefore engages them in effecting outcomes (Crawford and Ostrom 1995: p. 585). Both the AIPPA and the POSA obligated a coordinated enforcement response from other actors – notably the police – given their legal responsibilities under the relevant *Acts*. They communicated expectations to all, and obligations to their agents. The statistics on arrests and violence against media sector workers document the extent to which the AIPPA and POSA were enforced.

Further, there was an enforcement bias, in that only journalists from the private media were being targeted (MISA-Zimbabwe 09 May 2003). Enforcement bias itself communicates information that discourages collective mobilisation, by demonstrating the targeted application of penalties. Human rights groups noted that under the AIPPA, more than one hundred journalists were reportedly arrested in the 2002 to 2004 period

(HRW 2005a: p. 26 citing Article 19/MISA-Zimbabwe 2004), while prior to the 2008 elections, the Committee to Protect Journalists (CPJ) documented "...at least 19 cases [where] police used outdated sections of the accreditation law to harass, obstruct, or detain journalists" (CPJ 2009). The MDC asserted, in 2005, that "...not a single journalist working for the state-controlled media" had been arrested under the AIPPA (MDC 2005b: p. 14).

When penalties are applied in specific cases, they communicate information to other actors about the costs of the non-compliant behaviour. Public statements by members of the governing regime also communicated the penalties that could be incurred, transmitting information for the purposes of deterrence that is, for the purposes of reducing future non-compliance. For example, the Minister of Information and Publicity stated "...there was enough space in Zimbabwe's prisons for journalists caught dealing with foreign media houses" (Melber 2004: p. 9 citing MISA 30 April 2004), communicating to Zimbabwean journalists that the criminal penalties permitted under the AIPPA and the POSA would be applied.

A review of the literature also demonstrates two types of economic penalties that were applied against private actors in the media sector. The first were the costs that *directly* arose from the new requirements of AIPPA and POSA (e.g. cost of accreditation, licensing, compliance costs). The second type of economic penalty, one of economic disruption via nuisance costs, flowed *indirectly* from these new institutional rules. Both types of penalties were intentional and strategic actions that meant to control journalistic content. Actors will take penalties into account when assessing future choices and actions. In situations of collective dissent, penalties alter

the costs and benefits between voice, loyalty and exit. The power to impose these fines was held by the Minister of Information and Publicity and also by the Media and Information Commission. The consequences of non-compliance were increased for individual journalists or broadcast reporters, as well as mass media services under both pieces of legislation.

Loss of employment due to non-compliance is an interesting penalty, in that it affected both those working in the state-owned and the private press, and examples from each are provided here. As a penalty, it sends a clear message about the importance of both compliance *and* loyalty. Some of the editors and executives of both the state-owned Zimpapers and also the ZBC were fired when they "...did not toe the government line" (Zaffiro 2002: p. 120; Mano 2005: p. 63; MMPZ 2001: p. 13). For example, Henry Muradzikwa, a former Chief Executive Officer of ZBC was fired in 2008 "...for *openly defying* the Minister of Information and Publicity, Dr. Sikhanyiso Ndlovu, and the ministry's Permanent Secretary, George Charamba, to deny positive radio and television publicity to the MDC. He was also reportedly accused of denying President Robert Mugabe favourable coverage" (IFEX/MISA This Week 20 May 2008 emphasis added; Moore 2011: p. 61). Mano (2005: pp. 64ff) discusses how proprietors in the private sector also fired editors who did not align with their priorities.

Nuisance economic penalties were also commonly deployed by the members of the regime to increase the cost of 'doing business' (i.e. participating) in the Zimbabwean media market, including by creating disruption. Voluntary exit as a result of these additional costs would be a rational response by the media actors targeted. One example of a nuisance economic penalty were the attacks on newspaper vendors

selling the private press (Mendel and Mukundo 2004; Dombo 2014: p. 205; MMPZ 2003: p. 20) and the distribution of the *Daily News* was blocked in some areas (Moyo 2005: p. 119). These attacks and sales restrictions increased the costs of distribution, generated economic losses and created uncertainty for the individuals who sold those newspapers.

The use of economic penalties to help suppress the private press dates back to the mid-1990s and Dombo (2014) also identifies continuities from the Rhodesian era. In 1993, the private *Financial Gazette* newspaper was critical of the structural adjustment programmes and their economic consequences. It learned "...that *the government was instructing companies* not to advertise with them, and had placed tight controls on the allocation of newsprint" (Zaffiro 2002: p. 125 emphasis added). These instructions communicated clearly the expectations, and were repeated less than a decade later against the *Daily News*, when it was blocked from accessing domestic newsprint. When it began to source newsprint internationally, an import tax was imposed, further increasing costs (Dombo 2014: pp. 198, 206-207).

An import tax was also applied against foreign publications distributed in Zimbabwe, for example, the private newspaper *The Zimbabwean*. This tax increased the cost, to consumers, of foreign publications during a period of significant economic contraction, and the editors attributed to it their 70 percent drop in circulation while the duty was imposed (CPJ 2010 citing *The Zimbabwean's* editor). To broaden news sources, the duty was removed, in 2009, by Zimbabwe's new MDC-Tsvangirai faction (MDC-T) Finance Minister in the Government of National Unity, created after the failed 2008 elections (HRW 2010: p. 16).

As the arrests and harassment of journalists, editors and publishers increased, a key economic penalty was to force the payment of significant legal costs. This strategy increased the costs of pursuing the practice of journalism, while depleting the resources available to support the private media's operations. These arrests must be seen as economic and legal penalties for the current acts of perceived disloyalty and a deterrent against future non-compliance. The former editor of *The Standard* explained that the "...strategy involves charging journalists under various laws and securing long periods of remand or postponement of the cases, even when the charges are... spurious and have no chance of succeeding" (Chavunduka 2002: p. 286). The Institute for Reconciliation and Justice/Solidarity Peace Trust (IRJ/SPT) analysed nearly 2,000 political arrests between the years 2000 and 2005. This analysis found that virtually all of the arrests failed to lead to convictions: "...[a]lmost 90 percent of politically motivated arrests do not result in a trial, and in the few instances when cases go to trial, *the State has obtained convictions in only 1.5 percent of cases*" (IRJ/SPT 2006: p. 8, emphasis added).

Together, these taxes, economic restrictions and penalties are examples of the intentional targeting of financial rules in a 'carrot and stick' manner (Bemelmans-Videc, Rist, and Vedung 1998). These rules, that restricted sources of financing and/or added tax for the private press, stand in clear contrast to the continuing subsidies from the national budget to the state-owned press (e.g. *The Herald*) and the ZBC. This author argues that these measures, taken through law or regulation, altered the costs and penalties of participating in the Zimbabwean media market. In this regard, the author disagrees with Dombo (2014: p. 203) that these were examples of extra-legal costs, and

we both agree that press freedom was curtailed as a result, and I would argue the communication of both 'horizontal' and 'vertical' voice as well.

The reforms and examples discussed in this section demonstrate the range of actors coordinating to suppress the voices of the private press: the President, ministers and ministries (e.g. Home Affairs, Finance, Information and Publicity), members of the Media Information Commission and the Broadcasting Authority as well as police and security services. Specific rules were introduced and adopted in parliament with the support of ZANU-PF members (although with some internal opposition) including the adoption of the AIPPA and the POSA, as well as reforms to the *Broadcasting Services Act*, and the *Interception of Communications Act*.<sup>3</sup> These rules allowed the ZANU-PF regime to maintain and extend its control over the media sector – the sector fundamental to the expression and aggregation of voice, and to publicising the information needed to guide current strategies and future action.

The powers of actor selection were perhaps the most significant in terms of *reinforcing the 'Rebel's Dilemma'* for they significantly curtailed the choices of the private media actors. First, in situations of strategic interdependence, these powers of actor selection greatly increase the odds that the 'choices of all' will be aligned (in this case) with the choices of the governing regime, facilitating all members of the regime to obtain their 'reward' at the next round of elections (Knight 1992: p. 48 citing Elster 1986: p. 7). Second, for the private media, they no longer control the option of exit –

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<sup>3</sup> August 2007 amendments to the *Interception of Communications Act* allowed the authorities to intercept electronic and postal communications (Zimbabwe 2007). The intention of these reforms was to increase the noticeability of the actions of targeted actors. The Minister of Information and Publicity "...told the CPJ [that] the surveillance law will target 'imperialist-sponsored journalists with hidden agendas'..." and will "...protect the president, a minister, or any citizen from harm" (CPJ 2007).



for the power to force exit now belongs to actors in the regime (e.g. the Minister of Information, the Minister of Home Affairs). While exit may remain a voluntary choice in response to a deteriorating situation, it now also could be imposed as a sanction for simply 'doing your job'.

Third, by denying a forum (e.g. a newspaper or radio station) to amplify the voices of 'rebels' (i.e. individuals and civic organisations), the prospects for dissenting voices (whether inside the regime or outside), to be heard by other actors are markedly reduced. Given that information is a key mechanism to help shape the expectations, and therefore the choices and actions of other actors (Knight 1992: p. 49), the reforms to the rules governing the media sector helped to ensure that the information available, *to those Zimbabweans seeking political change*, was both incomplete and unreliable. By "...concentrat[ing] their attacks...on the dissident's supplies or input sources" (Lichbach 1995: p. 49 citing Leites and Wolf 1970: p. 76-78), the probability of MDC's demands for reform making a difference was reduced. Information problems exacerbate the challenge of coordination of both expectations and actions. This was particularly the case during electoral periods, where the dominance of the state-owned media was very evident (MMPZ 2003 and 2005a, 2005b; CPJ 2006). Regime members intentionally acted to restrict the availability of information.

The aggregate impact of these restrictions and penalties is found in the documented analysis of Zimbabwean media reports undertaken by the Media Monitoring Project of Zimbabwe (MMPZ), and the public opinion polling undertaken by the Zimbabwean partner in the *Afrobarometer* consortium. *Afrobarometer* conducts statistically-based public opinion surveys both within countries over time (successive

rounds of surveying) and across different countries in Africa. *Afrobarometer* have produced a number of reports documenting the views of Zimbabweans on economic, social and governance issues<sup>4</sup>, while the MMPZ monitors both state and private media in Zimbabwe against constitutional standards and the Southern African Development Community Principles and Guidelines for Democratic Elections (SADC 2004).

*Afrobarometer* confirms that these efforts to suppress the action-choice of 'voice' did not go unnoticed by Zimbabweans. Zimbabweans surveyed noted that "...some 61 percent consider that the government *often or always* silences opposition parties or their supporters" (Bratton and Masunungure 2012: p. 6 emphasis added). They "...also worr[ied] about freedom of expression. Fully 89 percent assert that people often or always have to be careful of what they say about politics. Again, this is the highest rate ever recorded by [Afrobarometer] in Zimbabwe or anywhere else in Africa" (*ibid*).

*Afrobarometer's* survey data noted marked declines in the perceptions about freedom of speech (expression) between 1999 and 2005 and similar declines in perceptions of freedom of association, as expressed through the right to join the political party of one's choice (2009: pp. 11-12, Tables 4.5, 4.6 and 4.7)<sup>5</sup>. These declines are shown in chart one of this dissertation. *Afrobarometer's* 2012 survey also documents a significant variance in perceptions of political fear by supporters of ZANU-PF and MDC, the first of their surveys to ask this question: "More than twice as

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<sup>4</sup> Reports are available at [www.afrobarometer.org](http://www.afrobarometer.org)

<sup>5</sup> With regard to the freedom of association, in 2009, 53 percent said they felt "somewhat" or "completely" free to join the political party of their choice, responses that appear to be at odds with the experiences of many Zimbabweans during the 2000-2008 crisis (see next chapter). The formation of a Government of National Unity, in late 2008, and which included Morgan Tsvangirai as Prime Minister, may account for these more positive answers.

many MDC-T than ZANU-PF loyalists consider that opposition parties and their supporters are *often or always silenced* by government by 81 versus 37 percent" (Bratton and Masunungure 2012: p. 12).

The distributional advantage gained through these institutional reforms that defined permissible content, and therefore also permissible voice, in the media sector was significant. The reformed rules created the institutional basis to promote the narrative of patriotic history and to suppress the voices of dissent. MMPZ's tracking of the media coverage (print and broadcast) during the 2000 elections campaign reveal just how significant was this advantage. Of the 558 election campaign stories in the ZBC's news bulletins, "...exactly 500 - nearly 90 percent - favoured ZANU-PF or were critical of the MDC. Only 32 (or 6 percent) covered MDC statements and activities..." with the same pattern also applied to radio broadcasts (MMPZ 2001: p. 8). In the 2002 presidential elections, MMPZ described the legal and political environment as "...extremely hostile to free and impartial reporting" (MMPZ 2003: p. 9), with biases in the issues covered by the public media (e.g. land, foreign relations, political violence) to the political advantage of ZANU-PF (MMPZ 2003: pp. 9-11). This finding regarding the bias in issue coverage, demonstrates the pre-dominance of the key elements of patriotic history in the public sector's media coverage in the pre-electoral period.

In the 2005 harmonized elections, the MDC made some gains in terms of its access to ZBC, however the coverage remained unbalanced, both in terms of quantity and content, to the continuing advantage of the ZANU-PF regime. The coverage allocated to the MDC was 15 percent of that of ZANU-PF in the pre-electoral period

(beginning 01 January 2005), as measured by number of stories, and only 7 percent as measured by the broadcast time (MMPZ 2005b). Although ZANU-PF and MDC were both allocated official “elections programmes”, the MMPZ noted that the interviewers were markedly more “hostile” to the MDC than was the case with ZANU-PF. MMPZ concluded “[t]he biased approach of the questioning during these programmes was clearly structured in a way that was designed to further discredit the opposition and enhance the image of the ruling party” (MMPZ 2005b). By the run-off of the 2008 Presidential elections, the limited access the MDC had obtained on the ZBC network of radio and television services ended, as “...Tsvangirai's campaign activities were completely censored in all of ZBC's radio and TV news bulletins” (Moyse 2009: p. 39).

### **Freedoms of Expression, Association, Assembly and Movement**

This discussion has demonstrated that reforms to the institutional rules imposed restrictions and penalties on the private media actors, suppressing both horizontal and vertical voice. These strategic reforms allowed the regime to select actors, and to control the exit option, as well as reduce the availability and reliability of information. They constrained the aggregation of dissenting voices in the media sector, and through their negative effects on mobilisation, in Zimbabwe more broadly. But freedom of expression is much broader than the existence and work of different media actors – it is a constitutional right of individual Zimbabweans.

The NCA defined freedom of expression in Zimbabwe as simply the “...ability to express oneself freely and read a newspaper of one’s choice” (Reeler and Chitsike

2005: p. 20). This definition, despite its simplicity of phrasing, encompasses both horizontal and vertical voice (O'Donnell 1986), as well as the availability of information. It applies to a range of contexts – to public expression in the media, to community gatherings, or simply to an argument in the beer hall or in the line to buy 'mealie-meal'. It also underscores the importance of the press to freedom of expression. However, broadcast media (e.g. radio) is notably absent from the definition.

The *Public Order and Security Act* (POSA) imposed important restrictions on both the freedoms of expression and assembly, and through the latter, also on freedom of movement. Kriger (2005) discusses similar efforts, in earlier elections, to limit the freedom of assembly through actions to deny rallies, and disperse opposition supporters under prior state of emergency regulations. The criminalisation of statements against the President or against the regime's behaviour (e.g. political violence by the police), as discussed above, were part of the content restrictions that limited the media's freedom of expression. However, the POSA also curtailed the right of assembly, through its regulation of "...the organisation and conduct of public gatherings" (Zimbabwe 2002b; Chavunduka 2002: p. 284). POSA also contained penalties for "...harbouring, concealing or failing to report insurgent, bandit, saboteur or terrorist" (Zimbabwe 2002b). This penalty would also impact on the freedoms of assembly and movement, by discouraging the welcome of, and/or meeting with, perceived opponents of the regime, whether MDC members, civil society actors or simply Zimbabweans with different views than those recognized as 'patriotic' by the members of the regime.

As discussed at the start of this chapter, freedom of assembly is closely linked to freedom of expression – for in the context of contentious collective action, it is

through the right to assemble that lawful opposition (or demands) to the state can be voiced in aggregate, and common interests can be articulated or defended. The freedom to assemble is an important enabler of collective action, for it allows like-minded individuals to meet and mobilise around shared issues, whether 'horizontally' amongst themselves and/or 'vertically' to the Zimbabwean regime.

Facing strong political opposition from the MDC, as evidenced by their success in the 2000 parliamentary elections, members of the Zimbabwean regime introduced POSA prior to the 2002 presidential elections. They demonstrated through their actions, their awareness of the impact of the right to assemble on the prospects for successful collective dissent:

"...[i]mmmediately on passing into law [POSA] was used to clamp down on the activities of the MDC, and also to prevent civil society activities, including peaceful protest, public debates and workshops" (IRJ/SPT 2006: p. 16; Sachikonye 2011a: p. 140).

However, the strategic application and targeted enforcement of POSA meant that these restrictions did not apply to ZANU-PF, facilitating its efforts to mobilise its own supporters:

"... it is almost always the opposition political parties, primarily the MDC, and civil society groupings including the NCA, the ZCTU, Women of Zimbabwe Arise, rate payers associations and others, that are routinely prevented from gathering. ZANU-PF on the other hand, is able to continue with political activities *without having to comply with POSA, and is seldom refused permission to gather*" (IRJ/SPT 2006: p. 19 emphasis added).

Masunungure also concurs with the targeted enforcement:

"[t]he police force has largely abrogated the right of free of assembly for opponents of the government. It has *freely allowed meetings and demonstrations by ruling party supporters*, but has frequently disallowed and brutally broken up meetings and demonstrations by the opposition and by organisations that are critical of the Mugabe administration" (Masunungure 2009b: p. 71 citing Zimbabwe Human Rights NGO Forum, 18 March 2008 pp. 4-5, emphasis added).

The MDC itself documented and reported many instances, across all Zimbabwean provinces, of denial of its own rallies, meetings etc., while noting that these prohibitions did not affect ZANU-PF (MDC 2005b).

Targeted enforcement communicates to *members and supporters* of the ZANU-PF regime that action to address a problem is being taken. In this way, it allows both supporters and opponents to factor specific actions into their strategic decision-making. By demonstrating action, for the members of the regime, targeted enforcement helps to address their collective action problem through the retention of support, as well as through the suppression of opposition. Enforcement actions that are strategically timed (discussed below) may amplify these effects, particularly in time-bound collective action challenges such as an electoral campaign.

The scope and breadth of the prohibitions within POSA, combined with the discretion available within its permissions (e.g. to determine whether a statement "could endanger feelings of hostility or cause hatred, contempt or ridicule of the President"), meant that its use became widespread as ZANU-PF sought to suppress dissenting voices, and retain its support. As was the case for the charges laid under AIPPA, the charges under this *Act* should be seen as economic and legal penalties for

the current action of perceived disloyalty and a deterrent against future non-compliance.

An analysis of the arrests reported during 2003-2005, found that POSA was cited in 52 percent of the arrests (IRJ/SPT 2006: p. 23), leading the IRJ/SPT to conclude that "...[l]aws such as POSA are not there to enforce law and order, but *to undermine the rights of citizens to freedom of association, expression and movement* (IRJ/SPT 2006: p. 8, emphasis added). Of the more than 1000 arrests made under POSA between 2003-2005, "...not a single conviction had been obtained by the end of 2005 for those sections of POSA that relate to public order or public gatherings – yet these are the sections most commonly charged" (IRJ/SPT 2006: p. 33).

New requirements and obligations that strengthened noticeability were introduced to facilitate enforcement and compliance. A significant advantage in terms of information arose from POSA's requirements that four days of notice of any public gathering (e.g. a protest, political rally or community meeting) be given. Failure to provide this notice was, in and of itself, a criminal act (Zimbabwe 2002b). This requirement provided an informational advantage to the members of the regime, by revealing important expectations on the part of the other actors (e.g. the anticipated number of participants, speakers, and objectives) (SPT 2004a: p. 12).

This informational advantage allowed the members of the ZANU-PF regime to make their own strategic choices, including acting to suppress civic voices or political opponents *in advance* of the planned gathering through targeted enforcement. From civil society, two examples, of the use of POSA as a deterrent:



"...[i]t took another 24 hours to get [them] released without charge. These 30 detainees were effectively in detention from 31 May to 3 June 2003, *which meant they were unable to play a role in the June [strike]– which was clearly the main intention behind their arrests*" (IRJ/SPT 2006: p. 28 emphasis added).

"On several occasions, youth militia invaded rally venues *the day before* the MDC rally was scheduled. MDC officials would arrive to find threatening youth militia ensconced on the pitch with the police refusing to remove them. This resulted in cancellation of rallies, or in violence disrupting rallies" (SPT 2003: pp. 32-33 emphasis added).

These actions may be seen as an effort to suppress the action-choice of collective voice *prior to* its public exercise. Strategies were also deployed by members of the regime to *deter and punish* future participation, i.e. to limit the aggregation of voice:

"... the process of keeping political detainees in such [dreadful] conditions for the maximum length of time permitted by law... and frequently longer, is done deliberately by the police who know that they will not be able to successfully prosecute these cases: being kept in filthy and degrading conditions for a few days is a form of quick sentence meted out by the police – and *a deterrent to future participation in peaceful protests*" (IRJ/SPT 2006: p. 26 emphasis added).

Earlier in this chapter, the economic penalty of imposing high legal costs against private media actors was discussed. This sanction (penalty) was also deployed in order to discourage the expression of voice by both members of the political opposition, and of civil society organisations:

"... the routine practice of arresting people at every opportunity is being used to ensure that a large proportion of funds that accrue to the opposition party or to civil society are used up in legal defence.... [it] adds up to a huge sum each year. The time and emotional stress that the opposition has had to devote to dealing with false charges has

taken attention away from more constructive processes, and has fuelled pre-existing internal divisions (IRJ/SPT 2006: p. 19).

An arrest is a penalty for current participation, while the existence of outstanding charges multiplies the costs of participating in future events. Outstanding charges also create uncertainty, as it means the individual can be "...taken back into custody for further interrogation at any time" (IRJ/SPT 2006: p. 31), incentivising compliance. Although only 1.5 percent of the arrests resulted in convictions (IRJ/SPT 2006: p. 8), the impact of these strategies on mobilisation was noted:

"The State is aware that there is a very small chance of a successful prosecution in most of these instances of arrest: in particular in relation to POSA arrests, it is useful to an oppressive State to hang the charges unresolved over the head of the accused... *Having an unresolved case can also be an inhibiting factor when taking part in further democratic activities, as the old case could be revived if there is a further arrest*" (IRJ/SPT 2006: pp. 30-31 emphasis added).

The link between arrests under the POSA and mobilisation is clear, based on the IRJ/SPT analysis. Arrests:

"...peaked in 2003, when the ability of the opposition to organise was at its zenith", declining in parallel with "... the demise of the democratic movement's ability to mobilise cohesively. This decline *is an indicator of the cumulative effects of state repression* on the capacity of the opposition to confront the state, rather than an indicator of less oppression" (IRJ/SPT 2006: p. 8 emphasis added).

Arrests increased again in 2007, "*...as a response to the growing mobilisation* by the opposition MDC, the trade unions and other civic bodies ..." and a blanket ban on public gatherings, for a period of three months, was imposed in Harare, the capital city (SPT 2007: p. 8 emphasis added).

The freedoms of assembly, association and movement are enablers for the mobilisation of both horizontal and vertical voice. Political leaders, candidates, campaign workers, election observers and officials all require the ability to move around their assigned territory - whether a rural district, urban ward, municipality, province – or to realize a national campaign. Journalists and reporters need to visit locations to identify and/or report on issues and events. Civil society organisations need to visit programme activities, meet members in different locales, hold meetings, or protest; staff need to be publicly identified with the organisation they represent.

Political parties also need to recruit members, and members should not fear being associated with a legally registered political party. By law, candidates must register their party affiliation, while at campaign rallies and other events candidates to communicate this information to potential voters. Citizens should be able to attend any political party meeting, simply to be informed. As discussed further in the next chapter, by exercising their freedom of association, i.e. by becoming a member of the MDC party, many Zimbabweans became vulnerable to political violence. Based on their perceived disloyalty, they were denied selective incentives available to ZANU-PF supporters and loyalists. This combination of penalties and incentives, not only reinforced loyalty, but further contributed to suppressing the freedom of association.

Both the freedom of association and the freedom of movement were jointly suppressed in the 'no-go' zones that were created across Zimbabwe during this period. These were especially common in Zimbabwe's rural areas, particularly in the regions of known and/or suspected MDC support (SPT 2003: p. 25 note 62; *Anatomy of Terror* 2011: p. 4). While the formal rules were not altered, these 'no-go' zones were

communicated and enforced as informal rules that *de facto* created restrictions on the freedoms of association and movement. These restrictions narrowed the permissions inherent in the freedom of movement, by limiting its geographic scope and/or by limiting the *purposes* for which freedom of movement were allowed.

These 'no-go' zones were introduced for ZANU-PF's partisan advantage and operationalised, for example, through roadblocks and unofficial requirements for travel authorisations. They significantly curtailed the freedom of movement for MDC candidates, officials or supporters, and therefore also limited the MDC's development as a political party. They were created and enforced by ZANU-PF supporters, its youth militia, and/or the war veterans (SPT 2003: p. 33-34):

"The policeman said: 'M Growth Point is a no-go area occupied by ZANU-PF youth. *Anyone suspected of being MDC will be beaten up*' (PHR 2002: p. 31, emphasis added).

"Case 4 reported his assault by war veterans and militias to the police, *who told him that the area was a 'no-go area for MDC supporters' who could expect to be beaten up*. The police took no action at all" (PHR 2002: p. 46, emphasis added).

A former member of the youth militia revealed that his training was about "...how to set up road blocks and how to harass civilians" (SPT 2003: p. 22) rather than the about job skills and "responsible

citizenship" as had been the original programme objectives cited by the Government<sup>6</sup>.

By limiting freedom of movement, these 'no-go' zones also created restrictions on the freedom of association (e.g. at a village level MDC rally), thus constraining collective mobilisation and the aggregation of voice across, for example, villages, constituencies, or within trades or professions (e.g. a trade union meeting, teachers association meeting). That they largely targeted specific groups of citizens, and those engaged in the action-choice of 'voice', revealed the largely partisan intentions behind these informal rules. Although these 'no-go' zones had also been deployed for earlier rounds of elections (NCA 2005; PHR 2002), their widespread scale-up for the 2008 elections was documented in the constituency reports of the *Anatomy of Terror* (2011).

This dissertation's focus is on the collective action challenge faced by the members of ZANU-PF, and it has been stated that their challenge, the 'State's Dilemma' was a decentralised one. The scale of these 'no-go' zones, across so many constituencies, is a demonstration of intentional action to limit the freedoms that supported the action-choice of 'voice'. Creating 'no-go' zones were strategic decisions taken by members of the regime, and communicated to their allies or agents (e.g. war veterans, youth militia members) in order to reduce the electoral challenge posed by the

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<sup>6</sup> The programme of 'national youth service' for youth 10 to 30 years old was announced in October 2000, initially to promote 'responsible citizenship'. By April 2001 the programme was re-oriented to provide youth with a "sense of nationalism and patriotism" and pride in their "culture, their history and their country" (SPT 2003: p. 14). However, as Ranger (2004) discusses, the teachings were of a partisan nature. The selective incentives of privileged access to jobs and to tertiary level education for the programme's graduates were also announced (SPT 2003: pp. 13-14, 20-21; Sachikonye 2011b: p. 21). In July 2003 the Minister of Defence announced that the youth programme would also include weapons training, so as to help "create a reserve security force for the nation" (SPT 2003: p. 23). This youth militia was estimated by Moorcraft as having 15,000 members (2011: p. 164). In September 2003, Zimbabwean and South African church leaders expressed concerns about the programme: "[t]he reality is a paramilitary training programme for Zimbabwe's youth with the clear aim of inculcating blatantly anti-democratic, racist and xenophobic attitudes" (SPT 2003: p. 6, emphasis added).

MDC (HRW 2008a: p. 39). The MDC identified these zones as one of its three "...major strategic problems" following their 2000 referendum success (with the second being "...the lack of alternative sources of information in the rural areas", as discussed above, and, the third, as will be discussed in the next chapter, "...the elimination of MDC structures and personnel..."(Raftopoulos 2007: p. 129 citing MDC strategy paper April 2000).

The 'no-go' zones prevented the MDC from organising, for example, in specific villages or constituencies. The 'no-go' zones also made it more difficult for the MDC to maintain, communicate, develop and/or support their networks at local levels, particularly in rural Zimbabwe, and to connect these local units to the national level (e.g. MDC 2005b: pp. 26-28; SPT 2003: pp. 33-34). 'No-go' zones limit physical travel, make difficult the transfer of resources from one area to another and may also increase both risks and costs. Whether it is Zimbabweans having their party cards checked at an informal roadblock (e.g. HR NGO Forum 2002: p. 11; 2006: p. 14) or the risk of violence associated with the roadblocks themselves. These 'no-go' zones had implications for the prospects for the MDC's successful collection action. Lichbach argues "...[i]f all collective action is 'local' then.. dissident organisations that link local and national issues will be more successful than national only" (1995: p. 232).

Due to their informal nature, there is no official data on the 'no-go' zones; rather their scale and scope have been documented by civic groups. In March 2005, in advance of the harmonised elections, the NCA reported that 77 percent of the constituencies sampled reported limits on the freedom of association, with the MDC more affected than ZANU-PF (NCA 2005: p. 6 Table 2), while 86 percent and 60

percent of the constituencies sampled reported movement restrictions on entering or leaving constituencies. In all cases, ZANU-PF supporters or members of the police, youth and/or security forces were identified as those limiting the freedom of movement (NCA 2005: p. 6 Table 3). These 2005 findings by the NCA were not unique. Similar findings for other electoral rounds were also reported in separate studies by the *Anatomy of Terror* (2011: constituency annexes) and in the HR NGO Forum's Political Violence reports. Reforms that were introduced for the 2008 harmonized elections (see 'Synthesis' below), facilitated the mobilisation by the MDC through their increased access to these 'no-go' zones (Masunungure 2009b: p. 73).

## Summary

This discussion of the intentional reform to the rules of assembly, expression, association and movement, reveal the official, coordinated actions to suppress the voices of the opposition and its allies. These four freedoms support the action-choice of voice, and influence the prospects for its effectiveness. These institutional reforms helped to underpin the core messages of ZANU-PF's patriotic narrative, deployed during this period of profound electoral and institutional contestation. The differences, across four different dimensions, between this 'patriotic narrative' and the action-choice of 'voice' have been discussed.

In keeping with the lines of enquiry for this research project, this chapter examined the impact of these reforms on permissions and prohibitions, compliance and the dynamics of exit and voice. Strategic institutional reform allowed members of the regime to gain control of both actor selection and of the exit option, greatly reducing

their future uncertainty and increasing the dependency of private media actors on the regime. In the media sector, these reforms reduced both the availability and reliability of information, exacerbating coordination challenges for the opposition, while facilitating the regime's communications to its supporters and other Zimbabweans.

A pattern of targeted enforcement of the rules also communicated to supporters and opponents information for strategic decision-making. Enforcement was also facilitated by new rules to increase noticeability that further supported the regime's informational advantage. Together these reforms suppressed the action-choice of voice (i.e. the communication of dissent) exacerbating the MDC's collective action and mobilisation challenges, and easing those faced by the ZANU-PF regime. The next chapter examines the fields of politically motivated violence and the deployment of selective incentives and strategies to reduce free-riding, in order to help ZANU-PF achieve the 'step-good' of electoral victory, despite its collective action challenge.

This rational-choice institutionalist discussion of patriotic history and causal stories, suggests two new areas for future research. The first pertains to whether, and how, the patriotic narrative has become institutionalised over the last fifteen plus years. The scope and time-frame of this study are too narrow to assess this question. However, this future research would offer not only new insights into Zimbabwe, but also be of wider theoretical value in terms of understanding if, how, and under what conditions, narratives may become institutions.

A second area for further research would be to assess, in greater detail, the communication of patriotic history as *a causal story* (Stone 1989; 2012). This assessment, with a focus on the definition and framing of political problems and,



particularly the *consequent implications for the development of policy alternatives*, would complement other analysts' valuable assessments on the development and effects of patriotic history. This more detailed analysis, could perhaps contribute additional explanatory value in understanding the challenges of responding to it in an electoral context. This future assessment would also be of relevance to the study of other liberation movements within the region.

## **Chapter Four: Incentives, threats and no free-riding.**

Second, mass, voluntary exit facilitates the provision of public goods to a smaller population, thus potentially reducing future dissatisfaction that can trigger the action-choice of voice (Pfaff 2006: p. 27).

This dissertation's theoretical framework of rational choice institutionalism requires a focus on individual and collective actors and the institutional environment in which they make their strategic choices and decisions, including in order to address their collective action challenges. One of the research lines of enquiry generated for this dissertation and stemming from this theoretical framework addresses the question of whether these reforms to rules altered the incentives and penalties faced by actors. This chapter examines the regime's use of informal rules to strategically alter penalties and incentives in order to retain the electoral loyalty of both their agents and of Zimbabweans. It complements the previous chapter's discussion of the alteration of formal rules to control actor selection and the exit option, and to encourage compliance via a narrowing of permissions and the introduction of stronger, tougher penalties to discourage the action-choice of voice.

Incentives and penalties are often the outputs of institutional reform. Incentives and penalties are important to the 'State's Dilemma', recalling that it is the challenge of retaining support, when the interests of Zimbabweans may align otherwise. Incentives and penalties "...motivate people to act differently than they might otherwise choose,

with both relying... on getting other people to choose actions we would desire" (Stone 2002: p. 265). They are an important means to align the interests of supporters with those who control the State. The strategic deployment of these inducements is a rational response to resolving your collective action challenge.

This chapter discusses the following incentives and penalties: the reward of protection from political violence – either as victims or as perpetrators; the use of political violence as a penalty (punishment) for disloyalty, and as a disincentive (or deterrent) for future disloyalty; and, the strategic distribution of material benefits (selective incentives), particularly the allocation of food aid. Rational actors, in situations of strategic interdependency, may offer selective incentives to encourage specific outcomes. If so, they will want to reduce free-riding via demands for specific demonstrations of loyalty and through strategies to increase the visibility or noticeability of contributions (monitoring).

This chapter examines the incentives and penalties that resulted from the development of new, informal rules that *de facto* replaced the formal rules governing the actions of the members of the security sector as well as the distribution of material benefits to Zimbabwe's citizens. Informal rules are those that are "...created, transmitted and enforced outside of official channels" (Helmke and Levitsky 2004: p. 727). Informal institutions are "...*shared amongst members of the relevant community or society*" and include some sort of sanction (Helmke and Levitsky 2004: p. 727 italics in the original; Knight 1992: pp. 2-3).

This chapter also briefly discusses the problem of free-riding and the importance reducing this problem to group success. This is followed by a more detailed analysis of Hirschman's conceptualization of loyalty and more recent analytical developments, situating these arguments within larger debates about patriotic history. Public opinion data from Zimbabwe is integrated into this analysis and discussion, revealing the extent of Zimbabweans dissatisfaction with the governing regime's performance. Finally, further areas of research are identified.

At each election, the members of the ZANU-PF regime faced the collective action challenge of retaining the electoral loyalty of ZANU-PF supporters in sufficient numbers so as to win the required number of votes (presidential) and seats (local or parliamentary elections). Hirschman's definition of loyalty, despite its weaknesses (discussed below), is relevant in time-bound collective action situations, such as the 'State's Dilemma'. For this dissertation, loyalty is defined as to "...[postpone or defer exit] in spite of dissatisfaction and qualms" (Hirschman 1970: p. 104). Its relevance stems from the strategic interdependence in the collective action challenge itself. Selective incentives help to reinforce loyalty by prioritizing the certainty of the current, but unsatisfactory, situation over the uncertainty of future improvements in performance (*ibid*: p. 38). Penalties increase the costs to rational actors of choosing a specific course of action, while incentives may reduce costs or offer additional gains.

A change in an unpopular regime (or its fundamental reform) is a public good (Pfaff 2006: p. 9 note 7), as noted above. The public opinion data discussed below reveals Zimbabweans' widespread dissatisfaction with the ZANU-PF regime. Pfaff's insight highlights the free-riding challenge that comprises part of collective dissent

generally and the 'Rebel's Dilemma' specifically (Lichbach 1995). Free-riding, i.e. benefiting from the provision of a collective good without having participated in its production is common in the production of public goods (Olson 1971: p. 91). The 'State's Dilemma' is also a dilemma of interdependency, and it is this interdependency that underscores the problem of free-riding, especially in time-sensitive collective action challenges such as electoral victory. Strategies to reduce free-riding and/or to defer exit, therefore help to ease this collective action challenge. Free-riding has adverse effects on the prospects for group success (Hardin 1982: p. 98).

As this period of the crisis unfolded, individual ZANU-PF party members, supporters and other Zimbabweans were called upon to increase their contribution to the ZANU-PF regime (e.g. votes, demonstrations of loyalty). These contributions reduced the free-riding problem faced by members of the regime, easing their collective action problem. Inducements, either positive incentives or rewards, but also threats or penalties, were directed by members of the regime at ZANU-PF supporters, either individually or collectively, so as to help generate the needed contributions.

Although it has been criticized, Hirschman's definition of loyalty remains the most pertinent for these discussions, given the time-bound nature of ZANU-PF's the collective action challenge. His definition speaks to a decision to 'defer' which has a temporal element that is important in this case study. Neither of the two primary criticisms of his definition addresses this dimension. Dowding *et al.* (2000: pp. 476-478) have criticized Hirschman's concept of loyalty for not being sufficiently distinct from either the action-choice of exit or of voice, whilst (Laver 1976: p. 478 citing Barry 1974: p. 90) has criticized it for mixing both functional and rational

elements. Pfaff continues Dowding *et al.*'s thinking and so re-formulates loyalty to be seen as "...the dispositions and preferences that determine an actor's relative costs and benefits for voice and exit behaviour" rather than treating it as "a course of action", as is the case for exit and voice (2006: p. 20). Some of the other helpful analytical developments by Dowding *et al.* (2000) and Pfaff (2006) have been integrated into this dissertation's analysis and are discussed below.

The 'State's Dilemma' is a time-bound collective action challenge. Political parties, including ZANU-PF, have genuine supporters for whom the action-choice of loyalty does not apply, as the action-choice of loyalty, applies in situations of "...dissatisfaction and qualms" (Hirschman 1970: p. 104), rather than support. It is a conscious decision by a rational actor, taking into account preferences, as well as the costs and benefits of this action-choice and those of the other alternatives available. Despite current concerns, a rational actor may also decide to choose loyalty, for example, as a reward to the state or in recognition of past benefit (e.g. liberation) or gain (e.g. employment, land, education), or in expectation of future benefits and gain. Normative reasons may also result in the actor choosing loyalty.

In the Zimbabwean context, there are two analytical developments to Hirschman's conceptualisation of loyalty that are particularly important. First, Dowding *et al.* (2000: pp. 476-478) argue that there are differences between loyalty to a product versus loyalty to an organization, group or country, to which an actor belongs. Dowding *et al.* argue that an actor may retain "...loyalty to his country no matter how much he disagrees with the policies of the government representing the country...the object of loyalty is different from the people held responsible for its

decline..." (Dowding *et al.* 2000: p. 477). Second, Dowding *et al.* also argue that the "degree of loyalty", depends on "...first, one's identification with the object of loyalty, and secondly, the amount one has *invested in that object*" (*ibid.*: emphasis added).

These distinctions are both important when analyzing ZANU-PF as a liberation movement that holds power. For those senior leaders of the ZANU-PF regime that had fought in the liberation war, their identification with, and their investment in, the liberation struggle was clear and significant. There was a "...continuing belief in ZANU-PF that politics in Zimbabwe are essentially an extension of the liberation struggle and consequently that they are the only party with the 'right' to govern", a belief that also "...rejects the concept of a valid opposition to its policies" (CCJPZ 2005: p. 23). Leaders of liberation movements often equated democracy with the post-colonial transition to majority rule (Southall 2013: p. 70), and the members of the ZANU-PF regime during this crisis were clear on this point: "We brought democracy to this country at independence. So when some people say they want to bring democratic change they are forgetting that we brought this in 1980" (*The Herald*, citing Comrade Sekermayi 22/5/2000). This perspective conflates the result (liberation) with democratic rule. In that democracy is the rule by the people, the expansion of political rights and voice that arose from liberation is indeed a new democratic beginning. However, democracy is not a "winner takes all, forever" proposition, for democratic rules provide for regular choices (elections) and, importantly for the possibility of a change in government.

Public opinion polling at the time of the crisis, showed, not surprisingly that 99 percent of Zimbabweans surveyed said that majority rule was "absolutely essential" or

"important" to their understanding of the term democracy (Chikwanha-Dzenga *et. al.* 2001: p. 10 Table 2). However, Zimbabweans also indicated that "regular elections" (86 percent), freedom of speech (82 percent), competing political parties (82 percent) were also "absolutely essential" or "important" part of their understanding, along with high ratings for a number of socio-economic rights (*ibid*). The views of Zimbabweans therefore balanced the democratic achievement of majority rule, but were internalizing, to a significant degree, the institutional rules that underpinned constitutionalism. This may be explained, in part, by the very significant percentage of the population that were born or came of age under Zimbabwe's *Constitution* with its framework of political rights.

This public opinion data suggests that Zimbabweans would be supportive of this broader argument, i.e. that loyalty to country still allowed for policy disagreements with the government. Their support for the freedoms essential to the action-choice of 'voice' (e.g. freedom of expression, speech ) is considerable. However, these opinions, and this argument, contrasts with ZANU-PF's 'patriotic narrative' and its condemnation of voices of dissent.

This 'patriotic narrative' was clear on both 'loyalty' and 'disloyalty', and through its communications demonstrated that the separation identified by Dowding *et al.* was not part of their expectations. ZANU-PF's 'patriotic narrative', *de facto*, saw both loyalty to a liberated country and to the ZANU-PF governing regime, as one and the same, as Tendi (2008: p. 379) defined above. This narrative, with its conflation of democracy, party and liberation, perhaps reflected, too, the bias of many senior



members of ZANU-PF towards a party-state. The leaders and members of the MDC and those who supported them were branded as 'traitors' or 'enemies' (e.g. HR NGO Forum 2007: pp. 11, 16, 24-25) for their challenges to ZANU-PF's rule, including their efforts to replace ZANU-PF, via elections. Loyalty, also meant not siding with the 'Western imperialists' (Mudavanhu 2014: p. 100 citing Chuma 2008), integrating the theme of sovereignty into its construct, while also simultaneously helping to delegitimise the MDC due to its support in many Western countries (Raftopoulos 2009: p. 218).

There is no question that individual members of the ZANU-PF regime, of the political opposition, civic organisations or other groups (e.g. community associations), and indeed many Zimbabweans, had a "subjective attachment" to the success of an independent Zimbabwe, including due to a range of "...ideological, social or material reasons" as Pfaff (2006: p. 20) argued with reference to East Germany. Independence was hard-fought, and the socio-economic aspirations of Zimbabweans (and many in the international community) were high. In mid-2001, over 70 percent of the Zimbabweans surveyed agreed that "being Zimbabwean" was an important part of their personal identity (Tevera 2002: p. 50 Table 3.10). Indeed this attachment may have activated and mobilised 'reformist voice', i.e. "...political action intended to improve the performance or responsiveness of an organisation or state (Pfaff 2006: p. 21) as Zimbabweans, through the action-choice of voice (e.g. strikes and stay-aways), expressed their concerns and dissatisfaction about the declining performance of Zimbabwe's economy, and/or governance.

The concept of the “degree of loyalty”, defined to include both the “...amount one has invested in that object” and “...one's identification with the object of loyalty” (Dowding *et al.* 2000: p. 477), is relevant, particularly when juxtaposed against the demographics of Zimbabwe during the years prior to, and throughout, the political crisis. As shown in chart four, by 2000, approximately 50 percent of the Zimbabwean population was under the age of 18 (IOM 2009: p. 28 Table 6 citing Central Statistics Office 2004, author's calculations). This group, the ‘born-frees’ had no direct experience of the liberation war, for the simple reason that they were born after its conclusion.

By 2002, when this census occurred, the institutionalised racism of the Rhodesian and colonial periods, as well as the suffering, heroism and struggle of the liberation war, were not part of the personal experience of most Zimbabweans. They featured heavily in the ‘patriotic narrative’ but only thirty-six percent of the population would have been alive during the Rhodesian period (IOM 2009: p. 28 Table 6 citing Central Statistics Office 2004, author's calculations), with approximately a further thirty percent coming of age since Zimbabwe's independence in 1980, and a further 40.5% had born since independence (*ibid*).

Demographics alone meant that, first, for the majority of the Zimbabwean population, there was, therefore, an important degree of separation from ZANU-PF's historic political achievement and the experiences of the majority of Zimbabweans. Second, 70 percent of Zimbabweans came of age or were born under its post-independence *Constitution*. For this author, building on Dowding *et al.*'s argument, the members of the ZANU-PF regime were increasingly dependent on the choices of a

population that were likely subjectively attached to Zimbabwe, and perhaps to ZANU-PF as the party of liberation and of Zimbabwe's early development accomplishments, but, that *as a population*, had a decreasing percentage of Zimbabweans with a *personal investment* in those events and achievements. Given the youthfulness of Zimbabwe's population, this would increasingly be the case in each future round of elections, as the number of youth eligible to vote increased, and the older Zimbabweans passed away or migrated from the country.

This census data underscores the political challenge facing the members of ZANU-PF regime, and suggests some areas for further research. Dorman (2006: p. 1095) posits that to avoid facing this demographic 'built-in expiry date', the ZANU-PF leadership took strategic initiatives to mobilise youth and to train them in the history of the liberation war. Further research could usefully assess whether, and to what extent, there are causal links between the demography, the high levels of youth dissatisfaction with the government's performance, and the development of ZANU-PF's narrative of the *Third Chimurenga*. Further age-based research on Zimbabweans' views about constitutional democracy, liberation movements and narratives, may usefully contribute to the on-going debates about governance and identity. This research may also have larger theoretical relevance to Southern Africa's liberation movements and political cultures more broadly.

Many Zimbabweans were dissatisfied with the performance of the governing regime in delivering public goods and material benefits (Tevera 2002: pp. 48-49 Table 3.7 and 3.8). Sachikonye (2011a: p. 132) argued that the social contract between Zimbabweans and the governing regime was breaking – that the regime was no longer

providing the economic growth, jobs and opportunities promised, although it was still demanding political loyalty and contributions (e.g. taxes and fund-raising "levies"). As the liberalising ESAP and its successor programmes were implemented, the GOZ altered its role and reduced its contributions in many policy areas, particularly social services delivery and local development (Saunders 2000: pp. 63-72; IMF 1998: p. 103). Often it was individual Zimbabweans, NGOs, churches and/or community associations who had to replace this investment via greater contributions of time, effort and financing. Dorman (2006) argues that these new roles provided these actors with a new legitimacy.

Public opinion polling, as well as the rise in the number of acts of collective dissent, reveal the increasing dissatisfaction with a governing regime seen as unresponsive to the needs of Zimbabweans. Zimbabwe's declining economic performance and its demographic shift may both be seen as factors undermining Zimbabweans' traditional loyalty to the ZANU-PF regime, and in turn, *generating a greater collective action challenge for the members of the regime* as they sought to hold onto power. Limited job creation, and a shrinking economy, meant that Zimbabwe's youth faced dim future economic prospects. Their reported levels of satisfaction with their personal economic circumstances, as well as with their country's economic performance were the lowest in the SADC region (IOM 2009: p. 70 Table 22 citing Chikanda 2005). As the political and economic crises unfolded, Zimbabwean graduates reported that they intended to leave the country (voluntary 'exit') within five years of graduation – again at levels that were higher than those in other SADC member-states (IOM 2009: pp. 66-67, Table 19 citing Crush *et al.* 2005).

With little or no lived experience of the liberation war, and therefore a weaker degree of loyalty to ZANU-PF's singular achievement, and facing declining economic prospects, some young Zimbabweans chose to express their dissatisfaction ('voice') through their strong support of the MDC (SPT 2008a: p. 44), while others chose, or considered, voluntary exit. Dowding *et al.*'s argument (2000: p. 477) that the degree of loyalty may vary based on the amount invested, and this data suggests reluctance, particularly by young Zimbabweans, to invest further.

A number of public opinion polls and other surveys allowed Zimbabweans to express their views on economic performance, and democratic governance. Both of these issues were important sources of the action-choice of 'voice' but also raise points about the separation that existed between the regime and many Zimbabweans, with concomitant implications for their challenge of retaining support and electoral loyalty. These polls and surveys are an increasingly important source of data for they represent the views 'at the time', and therefore may also serve as helpful baselines for future research. The introduction (or re-introduction) of some of this data into the Zimbabwean literature adds value for its integration into a discussion that is focused on institutions, and the choices and preferences for institutional stability or change during this case-study period in Zimbabwe.

The widespread extent of economic dissatisfaction revealed, confirms the basis of the expressed rational preferences, for a different future, including through needed economic and political institutional reforms. This dissatisfaction is important for the mobilisation efforts during this period of contestation. For the MDC, ZCTU and others, it provided an interests-based motivation for the expression of 'voice',

particularly in the face of a repressive response. Morgan Tsvangirai (cited in Chan 2005: p. 80) argued, “You cannot continue to appeal for patriotic commitment to ZANU-PF while a few elites are benefiting, and the rest of society is poor. You cannot do that”. However, this dissatisfaction also provides an explanatory element for the campaign slogans that linked economic recovery with land acquisition -- ‘the land is the economy and the economy is the land’ (cite ad from *The Herald*).

Survey data from late 1999 found that “[one-h]alf the adult population think they are worse (25 percent) or much worse (26 percent) off [economically than during the colonial period] in contrast to 28 percent who view the situation positively. A further 13 percent see no change in the standard of living of Zimbabweans” (Chikwanha-Dzenga *et. al.* 2001: p. 13). Seventy-five percent of Zimbabweans’ reported themselves as “very dissatisfied” and an *additional* nineteen percent “dissatisfied” with current economic conditions (Chikwanha-Dzenga *et al.* 2001: p. 28 Table 12, emphasis added). This public opinion survey’s findings correspond with those in Tevera's (2002) study on migration and those of cross-national polling work on democracy in Southern Africa (Johnson 2000: pp. 5-10).

The high levels of economic dissatisfaction suggest that Zimbabweans’ investments in an independent Zimbabwe were not perceived as generating adequate returns. By the late 1990s, the failures of and its successor reforms, and the economic costs of Zimbabwe's engagement in the Democratic Republic of Congo, contributed to the decline in Zimbabwe's economic performance, while social service delivery, a key benefit for poorer Zimbabweans, was also significantly cut-back (Mumvuma 2006: pp. 250-252; IMF 1998: p. 103; Moorcraft 2011: pp. 135-136). Economic well-being was

also part of the normative concept of democracy within Zimbabwe, one that encompassed both political and social rights (Chikwanha-Dzenga *et al.* 2001: p. 10). Zimbabweans surveyed in late 1999 indicated that "[t]he provision of basic necessities for everyone is also a valued dimension of democracy with 88 percent mentioning it as either 'absolutely essential' (67 percent) or 'important' (21 percent)" (Chikwanha-Dzenga *et al.* 2001: pp. 10-11).

Zimbabweans' identification with the members of the governing regime was also declining, although their support for democratic governance was strong. The same 1999 survey found that over 70 percent of those surveyed preferred democracy as a mode of governance and 74 percent *rejected* a one-party model (Chikwanha-Dzenga *et al.*: pp. 6-7). And "...nearly seven out of ten Zimbabweans felt that their President does not bother about their fate or what they think" and nearly 60 percent felt the same about Parliamentarians (*ibid.*: 2001: p. 24).

This chapter has analysed Hirschman's initial conceptualisation of 'loyalty', and the analytical approaches developed to address the perceived weaknesses in Hirschman's initial work. These have been discussed with specific reference to the Zimbabwean crisis, and to the larger post-liberation conceptualisation of democracy, whereby democratic legitimacy stems from the historic achievement of liberation rather than constitutional rules guaranteeing citizens sovereignty. This dissertation's analysis of public opinion polling data revealed a *significant difference in the understanding of democracy* held by Zimbabweans and that held by the senior members of the ZANU-PF regime.

Together, this data has documented the underlying fragility of Zimbabweans' assumed loyalty and support to the governing regime. Demographic changes, Zimbabweans' own dissatisfaction in terms of their returns on investment (i.e. as measured by improvements in the standard of living), and perceptions of unresponsiveness if not uncaring ("...does not bother about their fate...") all contributed to a fragile basis of loyalty to the ZANU-PF regime.

Returning now to the action-choice of 'loyalty', i.e. to defer exit despite dissatisfaction (Hirschman 1970: p. 104) it is important to emphasize that the decision to remain loyal is one that belongs to individual actors. As discussed with reference to the action-choice of voice, in this way, the action-choice of loyalty differs from the conceptualisation of loyalty within ZANU-PF's patriotic narrative. The patriotic narrative was the articulation, by the ZANU-PF regime of *their* concept of loyalty, and was a top-down communication to Zimbabweans, reflecting their revolutionary history, but one that appeared to disregard Zimbabweans' own electoral agency. Finally, loyalty may be the preferred choice, due to the lack of better alternatives, through whom voice could be expressed and/or expectations met. The declining voter turn-out, from the 1990 elections, and the suppression, by members of the regime, of earlier, nascent opposition parties would be relevant in these cases (Sithole 1999: pp. 206-211).

Within political parties, changes in loyalty have implications for free-riding and mobilisation. When returns from loyalty are declining, organisational effectiveness (e.g. of a political party to mobilise its supporters) will also decline due to increasing "passivity" and a reluctance to contribute (Pfaff 2006: p. 60). In other words, the effectiveness of political parties will be negatively affected by greater free-riding.



Declining loyalty would have therefore posed a major risk to the members of the ZANU-PF regime, given that electoral success is a situation of interdependence. It is not surprising therefore that new measures were introduced to address the free-riding problem, as discussed further below.

This chapter now discusses the actions undertaken by the governing regime to retain and/or defer the 'exit' of their political support, as well as measures to strengthen the contributions of Zimbabweans. Informal rules to offer the incentive of impunity were strategically developed or reinforced. These altered, if not *de facto* replaced, the formal rules that governed the actions of the members of Zimbabwe's security sectors, as well as their relationship with members of the regime. Similar informal rules to govern the distribution of material benefits to Zimbabwe's citizens were also developed. To defer exit, incentives, rewards, threats and penalties would be deployed as inducements to alter the choices of Zimbabweans.

Three key inducements deployed by members of the regime to encourage loyalty, and thus to defer partisan exit will be discussed. These three are: the reward of protection from political violence, for both specific victims and for the perpetrators; the use of political violence as punishment for disloyalty, and as a disincentive for future disloyalty; and, the strategic offer of material benefits, i.e. selective incentives, in particular the availability of needed food aid. This chapter also discusses the demands made, by members of the regime, for specific demonstrations of loyalty (i.e. contributions to reduce free-riding). Strategies to increase the visibility of contributions allow monitoring, and therefore both encourage compliance and reduce defections (i.e. exit) (Lichbach 1995: pp. 211-214).

## The selective targeting of political violence

Political violence was used to alter the electoral choices of rational Zimbabweans. As presented in chart three, an analysis of the political violence events, demonstrates the strategic timing of this violence, with its clear pattern of scaling-up either prior to, or following electoral periods during the period under study. Sachikonye discusses political violence as a strategy of political control (2011b), and argues that it was an "...indirect admission that a ruling party [had] lost popular support, hence the resort to terror and violence to compel voters to vote for it" (Sachikonye 2011b: p. 17). Kriger's (2005) analysis of the regime's strategic use of political violence across multiple elections demonstrates the continuity in ZANU-PF's use of political violence as a tactic of both deterrence and punishment throughout the country's post-independence history. Targeted political violence may also be seen as a strategy to reduce free riding, when analysed from the perspective of the collective action challenge faced by the members of the ZANU-PF regime.

This author concurs with both Sachikonye and Kriger in the strategic intentionality of the political violence, and in this regard, their perspectives align with the broad argument of this dissertation. However, this section of this chapter focuses on the development of informal rules, in the security sector, that enabled members of the regime to offer the *selective incentive or reward of protection from political violence* – either as victims or as perpetrators – to those who loyally supported ZANU-PF.

Selective incentives are a device that helps to *motivate* collective action by "...inducing individuals to join in group cooperation..." (Hardin 1982: pp. 17, 15). Lichbach defines selective incentives as: "...private goods or side payments that are offered to [those] who participate in collective dissent" (1995: p. 216). However, this definition also applies to those participating in collective action more broadly, including on behalf of the members of a regime in power. Lichbach acknowledges the state's privileged position that results from its ability to "...draw upon selective incentives and disincentives to mobilise its supporters" (Lichbach 1995: p. 258).

Zimbabwean analysts have articulated multiple definitions of political violence. For the purposes of this dissertation, political violence is defined as "...any form of violence that seeks to achieve certain desired political objectives by either enhancing the political fortunes of the perpetrator or negating those of the opponent" (CCJPZ 2001: p. 15). This definition encompasses the contestation between political actors, the intentionality and strategic deployment of the violence, and thus aligns with the core argument of this dissertation, i.e. strategic decision-making linked to achieving or sustaining distributional advantage. The Government of Zimbabwe itself defined political violence (in order to give clemency to perpetrators of this violence) as: "...any offence *motivated by the objective of supporting or opposing any political purpose*...[including] conspiracy, incitement or attempt to commit such an offence" (CCJPZ 2001: p. 15 citing GOZ Clemency Order #1 of 2000, emphasis added). This definition, is vast and permissive in its scope, but also captures the intentionality of the violence.

Sachikonye defines political violence as: "...a strategy with a specific aim...to obtain power or leverage, to intimidate or force concessions, or a means of defending certain positions.... [it is] a tactic to cause conditions of disorder or panic..." (2011b: p. 27). This author concurs with Sachikonye's view of the intentionality and strategic nature of the political violence. However, this dissertation, also argues that, during this period, the political violence eased the collective action challenge faced by members of the regime, as they sought to resolve the 'State's Dilemma' and therefore did not simply cause "...conditions of disorder or panic". The political violence undertaken by members of the ZANU-PF regime and its agents and allies was intentional and did generate important spill-over effects into a larger group of indirect victims (e.g. family, community members, and/or other opposition supporters). Spill-over effects magnify the impact of intentional action and therefore may affect the choices of other actors through their communication of costs (consequences) and benefits.

Although Sachikonye (2011b) declared "...the state turn[ed] on its citizens", it is clear, from both qualitative and quantitative reports of the violence, that the members of the Zimbabwean regime and their agents did not turn on all of its citizens equally, for specific targeting of actual or perceived opposition supporters occurred (Alao 2012: p. 104; *Anatomy of Terror* 2011; Reeler 2009; HR NGO Forum: Political Violence reports). As one member of the 'Green Bombers', ZANU-PF's youth militia stated:

"...We were trained to be vigilant, *always looking for opposition supporters, and were told that if we saw anyone with a MDC T-shirt we must assault them with whips, catapults, steel bars. The idea was to instill fear in people so they would be frightened to vote and to take revenge against those who had...*" (Worby 2003: p. 78 note 45 citing Sunday Telegraph (UK) 25 August 2002).

This statement is an example of the targeting that occurred and its link to the freedom of expression and the action-choice of voice (i.e. wearing of a MDC T-shirt). It is also an example of the deterrent and punitive natures of the violence itself, as well as the intentionality of its spill-over effects.

This targeting of victims was permitted by the development of informal rules that enabled partisan policing that served the interests of the ZANU-PF party rather than upheld the rights and freedoms within the *Zimbabwean Constitution*. The key reward offered by the regime *to individual party members and loyalists*, was the protection from the regime-sponsored campaigns of organised violence and terror that generated losses (direct and indirect) for those targeted. In the context of this dissertation, physical safety and security is defined to not only include protection from physical violence and torture, but also to include the safety of one's home or business. Those individuals who were members of the security services and party militias perpetuating this violence were rewarded with strategically granted impunity for their acts – that is, protection *from the consequences* of the violence and terror they inflicted.

An analysis of the SPT and Zimbabwe Human Rights NGO Forum reports, cited in this dissertation identifies multiple statements by individuals on the impunity they enjoyed as ZANU-PF agents or allies perpetrating political violence. One example is this statement by a member of the ZANU-PF youth militia:

"We got a lot of power. Our source of power was this encouragement we were getting, particularly from the police and others.... it was instilled in us that whenever we go out, *we are free to do whatever we want and nobody was going to question that*" (SPT 2003: p. 4 based on interviews, August 2003, emphasis added).

Increasing costs, threats and punishment reduced the prospects of successful mobilisation and, thus, also the prospects of MDC's electoral challenge succeeding, i.e. they reinforced the 'Rebel's Dilemma'. To increase the costs of political dissent, targeted threats and punishment were intentionally applied against current or potential opponents, i.e. those who were not, or may not continue to be, electorally loyal to the ZANU-PF regime. The violence and terror was very clearly targeted against known or suspected MDC supporters, or as members of groups (e.g. teachers, civil society leaders) that were perceived to support the political opposition (Alao 2012: p. 104; *Anatomy of Terror* 2011; Reeler 2009; HR NGO Forum: Political Violence reports).

The Zimbabwean Human Rights NGO Forum (HR NGO Forum) has provided an important temporal record against which patterns, scale and scope can be evaluated. Their monthly reports have documented the political violence<sup>7</sup> throughout the period of the Zimbabwean crisis discussed in this dissertation. However, it is the 2011 report, the *Anatomy of Terror*<sup>8</sup> that provides the most detailed record of the *formal organisation* of the violence by members and allies of the regime in 15 different electoral constituencies during the decade 2000 to 2010. This report also documents specific examples of the reward of impunity enjoyed by individual members of ZANU-PF and its allied organisations and actors. Details (dates, locations, perpetrators and violence committed, impunity enjoyed) have been recorded, particularly during the 2008 elections.

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<sup>7</sup> These reports are available at: <http://www.hrforumzim.org/category/publications/monthly-political-violence-reports/?theme&source>.

<sup>8</sup> The *Anatomy of Terror* was published in 2011, and the body of the report is complemented by detailed reports from 15 different constituencies. Each constituency report is simply identified by its name. No page numbers are provided, and therefore pagination is based on the PDF version downloaded.

The *Anatomy of Terror* also provides a detailed record of the cooperation and coordination amongst members of the ZANU-PF regime, its affiliated organisations (e.g. security sector agencies) and actors (e.g. traditional chiefs, war veterans). Coordination and cooperation are needed to resolve a time-bound collective action challenge such as the State's Dilemma. The data within this report confirms the intentionality of the political violence, detailing the establishment of 'operating bases' from which the political violence was directed and/or carried out, including during specific electoral campaigns.

Losses and impoverishment also have implications for collective action. The greater an individual's (or group's) resources (e.g. skills, financial, material), the greater the potential for that individual (or group) to participate in collective dissent. A loss of resources constrains mobilisation and participation, including through the diversion of time and effort to the production of private rather than public goods (Lichbach 1995: pp. 48-50). Economic pressures on Zimbabweans were increasing throughout this crisis period, exacerbating the impact of any losses.

The burning and/or looting of homes, farms or other businesses was a common form of political violence (Anatomy of Terror 2011; HR NGO Forum 2001: Section E). This often led to displacement (i.e. the temporary or permanent 'exit' from the local area, community or economic activities). It certainly led to greater poverty, as these critical assets were lost, in whole or in part. The *Anatomy of Terror* report notes "...ZANU-PF extends its control by raiding the meagre food, stocks, livestock, and other property of MDC sympathizers. In addition, ZANU-PF torches the homes of MDC activists and sympathizers. *To avoid this, locals are forced to join ZANU-*

*PF...*" (*Anatomy of Terror* 2011: Mudzi North p. 24, emphasis added), with similar examples provided in several other constituency reports (e.g. Hwedza South, Buhera South). The theft of household grain reserves would increase the family's dependency on food aid distribution, for potentially up to one year (i.e. until the next harvest season), and the issue of partisan food aid distribution is discussed further below.

In particular, the prospects for group success will be adversely affected by the loss of assets (or inputs) that directly support the contributions of individual actors (or groups of actors) to collective action (Lichbach 1995: p. 49 citing Leites and Wolf 1970: pp. 76-68). Advancing Lichbach's finding, this author asserts that the impact of losses on group success will be particularly material both in situations of a *time-bound collective action challenge* such as electoral victory, and/or in resource-poor settings such as rural villages in a developing country like Zimbabwe.

The time-constraints, the size of an actor's remaining asset base, and the additional or alternative assets available to them in their immediate vicinity (e.g. the availability of alternative employment, access to financial services) will limit the capacity of actors to replace their losses, including the needed inputs to achieve their collective action goals. The loss of some resources may go therefore beyond a diversion of efforts from the production of public to private goods. Relevant examples from the Zimbabwean crisis include the looting of a freelance journalist's cell phone or laptop (CPJ 2009), the theft of a MDC activist's car (SPT 2003: p. 34) or the seizure of an individual's national identification card (SPT 2003: p. 33) which is needed to vote or to obtain formal employment.



Many attacks occurred in homes or businesses, and the homes of MDC supporters or activists were often also the target. Direct attacks in the home increased the cost of supporting the MDC, by not only damaging or destroying what is often the most significant private asset of individuals, but also by extending the political violence to family members. Private homes were the “most common site” of attacks against the MDC leadership during the period of March to May 2007 (SPT 2007: pp. 21-22). The Solidarity Peace Trust states that they are “... a very deliberate act, requiring prior intelligence and intentionality...” (SPT 2007: p. 23). Family members, including children not yet of voting age, also suffered from the trauma of the attacks, as well as their impoverishment and/or displacement (HRW 2008: p. 14; SPT 2007: p. 25; SPT 2008b: pp. 29-31). The attacks would also underscore to ZANU-PF supporters and members the value of staying loyal.

These targeted attacks and displacements also disrupted collective action through its disruption of the local networks of political support. Networks facilitate collective action through their roles in coordination, mobilisation and information-sharing. Both the disruption of local networks and targeted displacement create new uncertainties for rational actors, for example, as they adjust to new locations and assess whether and/or how to rebuild their networks of support. The costs of continuing to choose the MDC over the ruling ZANU-PF regime have been increased. The Zimbabwe Human Rights NGO Forum Political Violence Report (2000/2001: section E) documents multiple examples of disruptions to the MDC's local constituency networks. These examples include violence and temporary displacement against their members involved in court challenges of specific election results. Not only do these

disruptions affect the local level, but in those cases, where the MDC member failed to appear in court, or pulled away from other active engagement and effort on behalf of the MDC, the disruptions affect the national prospects of success as well. The Solidarity Peace Trust documented the targeting of MDC's structures in the 2008 violence which occurred between the two rounds of elections (SPT 2008b: p. 29).

The strategic deployment of political violence and/or torture<sup>9</sup>, may have been experienced by individuals in isolated, targeted instances (e.g. a local attack), in small groups as individuals participating in activities of collective dissent (e.g. women protesting at the rising cost of living), or, through planned and coordinated attacks across a number of different sites by groups of affiliated actors. The frequency, scale and the targeting of both the political violence and the political impunity to enforce loyalty to ZANU-PF are well documented in published reports and research (e.g. HRW: 2007, 2008a and 2008b; Reeler 2009; *Anatomy of Terror* 2011; Sachikonye 2011b).

Those Zimbabweans who remained loyal to ZANU-PF benefited from the selective incentive of physical protection from violence to an overwhelmingly greater extent than those who opposed to the regime. The Governor of Masvingo was clear: "If you want peace you should support me and the ruling party... If you want trouble vote for another party" (HR NGO Forum 2001: p. 44 citing *Daily News* 12 May 2000). Available data confirms that the political violence was targeted to the regime's opponents. The Solidarity Peace Trust found in their 2008 report that "...ZANU-PF supporters were only 1 percent of the total..." number of documented victims of the

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<sup>9</sup> Reeler draws upon the *UN Convention against Torture* to describe torture's four defining characteristics: "...involves the infliction of severe pain and suffering, whether physical or mental; [is] done intentionally; [is] done with a purpose in mind – to intimidate, to force a confession, etc; [and, is] done with the consent or acquiescence of a public official or other person acting in an official capacity" (2009: p. 1).

political violence (SPT 2008b: p. 5), although other reports provide somewhat higher estimates (e.g. SPT 2008a). Intra-party violence also occurred within both the ZANU-PF and MDC parties (Sachikonye 2011a: pp. 60-61; SPT 2008a).

Faced with the scale of political violence against their supporters, the MDC itself began to engage in political violence, despite their normative and public commitments to human rights. This resort to violence was multi-causal, in part resulting from the closing of political space, leading to more radical responses from the MDC's supporters (Alexander and McGregor 2013: p. 755 citing LeBas 2013), while Raftopoulos (2007: pp. 131-133) discusses the relevant dynamics within the MDC itself. Several reports confirm that during the period of 2000 to 2008, the political violence inflicted by MDC supporters on ZANU-PF supporters, was "...basically retaliatory... relatively small and unsystematic in scale..." (Sachikoyne 2011a: p. 59 citing HR NGO Forum reports; HRW 2008a: p. 52; SPT 2007: pp. 35-36; *Anatomy of Terror* 2011). This scale and organization of this political violence, while outside of the foundational principles of the MDC, contrasts sharply with the broad and systematic political violence perpetrated by the leadership of the ZANU-PF regime and their supporters against its political opponents (*Anatomy of Terror* 2011; monthly reports by Zimbabwe Human Rights NGO Forum; Reeler 2003 and 2009).

Political violence against the governing regime's own supporters should be seen as a punishment or penalty (sanction) for disloyalty. Political violence as a penalty for disloyalty is designed to alter the future electoral choices of Zimbabweans, so that once again their choices aligned in support of the ZANU-PF leadership. Inducements are often used in combination: "...rewards as long as you cooperate and penalties as soon as

you don't" (Stone 2002: p. 265). This violence was "...both retributive – no betrayal is greater than the betrayal of your own previously most loyal constituency - and as an attempt to reverse the flow – to cut out the cancer before it spreads" (SPT 2008a: p. 36). By dramatically demonstrating the future cost of future disloyalty, the threat to Zimbabweans was clear.

During the period of this dissertation, it was the violence in the three months prior to the second round run-off of the 2008 presidential elections that provides the clearest example of penalizing the regime's own supporters for disloyalty in the first round of voting. These elections were the most significant electoral challenge to the members of the ZANU-PF regime and their continuing hold on political power. The MDC had achieved significant electoral success (discussed in the synthesis section below). It was announced, by the Zimbabwe Electoral Commission (ZEC), after weeks of delay (and vote rigging Chan 2011: p 140-146) that President Mugabe lost the first round of the presidential elections, although Morgan Tsvangirai, the Movement for Democratic Change - Tsvangirai faction (MDC-T) challenger, while obtaining the greatest number of votes, had not, officially, passed the crucial 'fifty percent plus one' votes required to be elected President ("the step") (Table 1; Moorcraft 2011: p. 151; Reeler 2009: p. 8; SPT 2008a: pp. 6, 11-14). A second 'run-off' presidential election was scheduled, and then delayed, until June 2008.

To resolve the 'State's Dilemma', members of ZANU-PF had to, without fail, deliver the required contribution, that is, a majority of the ballots cast, during the second-round 'run-off' in the Presidential elections. Free-riding by individual ZANU-PF members needed to end, given the significant risks it posed to the prospects for

group success (Hardin 1982: p. 98). The loss of rural seats in their traditional powerbase, created "*political insecurity*" amongst the members of the governing regime and "...hence the acts of retribution" that occurred in the rural areas (ZPP 2008a: p. 15 emphasis in the original). From April to June 2008, ZANU-PF's traditional Mashonaland strongholds were punished for their voting shift towards the MDC, which won 12 of the 60 parliamentary seats available (Raftopoulos and Eppel 2008: p. 371; SPT 2008a: p. 7; Ranger LSB letter).

The March 2008 elections were the first to require individual polling stations to publicly post their voting returns, increasing the information available to voters, observers, the members of the MDC, but also, to members and agents of the governing regime (SPT 2008a: pp. 10-11 citing Feltoe 2008). These reforms communicated information that allowed the clear identification of the specific polling areas that had demonstrated 'disloyalty' by voting against ZANU-PF, thus allowing for the 'easy' targeting of the violence as a collective punishment or penalty (SPT 2008a: p. 36; Lichbach 1995: p. 215). Increased violence against (former) ZANU-PF members and supporters was deployed as a penalty ('stick') to help reinforce loyalty and to reduce free-riding during the several weeks that the 'run-off' was delayed. The first-round election results revealed that the selective incentives ('carrots'), of, for example, protection from the violence were no longer sufficient (Bemelmans-Videc, Rist, and Vedung 1998) to defer the exit of supporters.

The political violence of April 2008 to June 2008 (i.e. the presidential run-off period) differed in its geographic distribution, given that "...during previous pre-election periods, most violence [against MDC and its allies] has taken place in the rural

context, *in order to protect* [for ZANU-PF their] strongholds in rural Mashonaland..." (SPT 2007: p. 33 emphasis added). Forty-six percent of the political violence recorded by the Solidarity Peace Trust during this period occurred in the three Mashonaland provinces, a markedly different geographical distribution of political violence than that observed in earlier elections (SPT 2008a: p. 35). The *Anatomy of Terror* (2011: pp. 21-22) also documents the important rise in the number of bases in the Mashonaland provinces in 2008 from which many of the acts of political violence were coordinated and/or conducted.

Once again, the rural areas of the Mashonaland provinces became 'no-go' zones for members of the MDC and its supporters, suppressing mobilisation and extending political control (Sachikonye 2011a: p. 35). These 'no-go' zones were intentionally distributed across those specific rural areas that were the most politically vital for the collective retention of power by the members of the regime. As discussed further below in this chapter's section on impunity, informal rules differ in three important ways from the simple, non-enforcement of formal rules: they communicate new rules, they provide new permissions or impose new prohibitions, and the decision-making forum is different than that where formal rules, and their enforcement, are decided.

Many actual or perceived MDC supporters were violently displaced from their home communities (Tsvangarai 2008; SPT2008b). This displacement effectively disenfranchised those MDC supporters from the upcoming round of the elections, i.e. the next 'step' faced by members of the regime. Zimbabwe's electoral rules required that voters must return to their home constituency to vote where they are registered (HRW 2008a: p. 15; SPT 2008a: p. 22). For example, in the Mount Darwin South

constituency "...[a]rson is widespread during elections. This is done to displace people who are perceived to be MDC votes" (*Anatomy of Terror* 2011: Mount Darwin South report: p. 18).

During the elections studied for this dissertation, the political violence inflicted on members of the opposition and their supporters was often incited by the leaders of the regime and linked to the electoral performance by ZANU-PF (Sachikonye 2011b: p 18; Kriger 2005). For Zimbabweans, their prior knowledge of ZANU-PF's use of political violence would help to confirm the reliability of these statements, and made the threats within these statements more credible. The political violence that marked earlier elections, as well as the *Gukurahundi* killings of the 1980s, provided both ZANU-PF members, and Zimbabweans more generally, with knowledge of the strategic use of political violence by members of the regime. The deployment of violence as a strategy for ZANU-PF to retain and/or consolidate its political support is a strategy that pre-dates this political crisis (Dorman 2005; Sachikonye 2011a and 2011b; Moorcraft 2011; Alao 2012).

President Mugabe himself, as well as other members of the governing regime, spoke, on many occasions, of the violence that would be unleashed against the opposition (HR NGO Forum 2007; MMPZ 2009a; *Anatomy of Terror* 2011: constituency reports). For example:

"Elliot Manyika, the Political Commissar of ZANU-PF, reportedly ...told party members at gatherings in the... towns of Zvimba and Karoi that they *should not tolerate opposition parties in their areas and they should beat up opposition members and silence them* in the approach to the presidential, parliamentary and rural council elections slated for March 2008. He exhorted them to ensure

that ZANU-PF won these elections" (HR NGO Forum 2007: pp. 15-16 citing Voice of America, 24 April 2007, emphasis added).

For individual ZANU-PF members, these public statements by the leaders of ZANU-PF signaled the leadership's encouragement of the violence to be unleashed against the opposition.

As discussed in the previous chapter, statements by ZANU-PF leaders (principals) set out expectations for agents, advancing coordination, amplifying the impact of these words – and multiplying the levels of violence. The quote above “... and *they should beat up opposition members and silence them*”... (*ibid*) demonstrates this, as well as the intentional suppression of the action-choice of voice. Public statements communicate information about future intent. Public statements that encouraged attacks on members of the political opposition, or their supporters, also reinforce the tangible benefits of remaining loyal to ZANU-PF (i.e. physical safety and protection from violence). Many of these statements also made a direct call for increased contributions and for demonstrations of loyalty (i.e. violence).

For rational Zimbabwean actors, to be protected from political violence, remaining loyal to the governing ZANU-PF regime was the beneficial strategy. These public statements also communicated the private costs of voluntary exit from the party, via the future loss of this physical. Through the demonstration of benefits, and the costs of exit, this selective incentive may therefore help to affirm the action-choice to be loyal, whether from individual ZANU-PF party members or other Zimbabweans.



Voluntary exit from the party may thus be deferred (Hirschman 1970: p. 104), easing the State's Dilemma' as political support is retained (Lichbach 1995: p. 257).

Many reports document the scale and scope of the strategic political violence unleashed in Zimbabwe. Reeler's 2009 study assessed the reliability of reports from three key sources – the Zimbabwe Human Rights NGO Forum, the Solidarity Peace Trust (SPT), and the Zimbabwe Peace Project (ZPP) – each of which were documenting and/or surveying Zimbabweans' experiences of political violence, including torture. Reeler found "...[f]rom all reports it is evident that members of the MDC, people suspected of being affiliated to the MDC, election observers, and members of other civic groups constituted the *overwhelming majority* of the victims" (Reeler 2009: p. 30, emphasis added). Reeler aggregates the HR NGO Forum's detailed monthly reports on political violence prepared during the period 2001-2008, which identified a total of 40,559 documented cases of gross human rights violations (2009: p. 12 Table 2) <sup>10</sup>.

The arguments in this dissertation support Reeler's assertion that there was intentional and coordinated action by members of the regime (and its allies) to unleash significant political violence and to violate the rights of individual Zimbabweans (e.g. freedoms of expression and assembly). The politically motivated arrests under the *Public Order and Security Act* (POSA) and the *Access to Information and Privacy Act* (AIPPA), discussed in the previous chapter, were often accompanied by violence (SPT 2006: pp. 25-26).

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<sup>10</sup> Reeler uses the term 'gross human rights violations' rather than simply 'political violence' to emphasize both the Government of Zimbabwe's role in the violence and its systematic and/or widespread nature and the legal nature of his argument (2009: p. 30). The more general term of 'political violence' will be retained unless the term gross human rights violations is specifically used in the works cited.

The MDC's leadership was a particular target, given their role in mobilizing the action-choice of voice, actions that threatened ZANU-PF's distributional advantage and ran counter to their own views of their democratic legitimacy. Reeler (2009) found that the rates of reported torture seemed to "...increase markedly in frequency *when the population can be described as activist*", i.e. "...supporters of the MDC, [Women of Zimbabwe Arise], or farm workers employed by commercial farmers who were MDC supporters" (Reeler 2009: p. 23, emphasis added). A 2004 report found over 90 percent of the MDC's MPs, and over 50 percent of their candidates, had directly experienced political violence, while over 60 percent of the MPs, and "nearly 80 percent" of the candidates reported that their families were affected by the actual or threatened political violence (Zimbabwe Institute 2004: pp. 15-16). This data reinforces Reeler's assertions regarding the targeting of activist populations, in this case, individuals running for political office on behalf of the MDC. The *Anatomy of Terror* (2011), Human Rights Watch (particularly 2007, 2008a, 2008b and 2011) as well as the SPT reports cited in this dissertation provide details of the suffering from violence and torture, based on the strategic and intentional actions of individual members of the regime and their allies.

The close timing of political violence with the elections (the electoral 'step') is strategic behaviour, in that it strengthens the "correspondence" between the "inducement itself" and the future actions (i.e. voting) of the receiver of the inducement (Stone 2002: p. 268). To assess whether this correspondence held in the case of Zimbabwe during this period, this author identified the selected types of political violence most closely linked to 'voice' and 'exit' (chart two), and analysed the reported

incidents of this violence against the timing of the 2002, 2005 and 2008 national elections. The results are presented in chart three of this dissertation.

Reeler also analyses the data from the monthly human rights reports temporally, finding that during the 2001-2008 period, recorded human rights violations (a broader category than those used in the analysis above) were over 50 percent higher in those months in which elections were held (Reeler 2009: p. 13 Table 3). Both analyses confirm the *strategic timing* of the violence and underscore the political motivation behind the targeting of the violence, and thus the strategic and intentional behavior by the members of the ZANU-PF regime. The strategic timing of this violence would enhance the political fortunes of the members of the ZANU-PF regime and negate those of their political opponents (CCJPZ 2001: p. 15).

### **Addressing the coordination challenges of scale and time**

The collective action challenges faced by members of the regime (the 'State's Dilemma') was one that was time-bound – for elections occur at set dates and therefore the challenge must be resolved successfully on that date if electoral victory was to be achieved. The 'State's Dilemma' is one of inter-dependencies between the choices of Zimbabweans and the rewards reaped by the members of the regime. Coordination was needed in order to address the scale of their challenge: time-bound and dependent on success across multiple constituencies in several geographic regions.

The strategic timing of political violence to coincide with the electoral periods, the targeted geographic distribution of the violence, including the use and

establishment of both operational bases and 'no-go' zones, all reveal a high degree of intentionality, of coordination and contributions, amongst members of the regime and their supporters. In 2008, the multi-week delay in announcing the first-round electoral results, and further delays in holding the second round of the presidential election, despite formal, electoral rules that stated otherwise, furnished ZANU-PF with additional time to carry out the targeted political violence (SPT 2008a: p.15; Tarisayi 2009: p. 21) needed to suppress voice, encourage loyalty and/or force exit.

Coordination mechanisms were needed to resolve the 'State's Dilemma', and Lichbach discusses 'decentralisation' as a specific solution to collective action challenges (Lichbach 1995: p. 201). However, Lichbach does not discuss the top-down approach of sub-dividing a national collective action challenge into smaller, local ones as was done by ZANU-PF. Segmenting a collective action challenge into discrete geographic (or other) units is an effective coordination strategy, especially when the problem is time-bound. It allows for the deployment of additional resources to the problem, facilitates the local mobilisation of resources and the monitoring of progress. It is both a strategic and an intentional response to a collective action challenge that contains an inter-dependency of the type "the rewards of each depend on the choice of all" (Knight 1992: p. 48 citing Elster 1986: p. 7).

Above and beyond the regular political party structures, which allow a political party to coordinate and communicate across constituencies, Zimbabwean evidence of this segmented coordination is found in the establishment of 'operations' bases. These were used to coordinate the political violence (*Anatomy of Terror* 2011) which occurred throughout this political crisis. More than 100 'operations' bases were documented and

each were led, managed and resourced in "rough uniformity" across the different sites (*Anatomy of Terror* 2011: pp. 6-7 and individual constituency reports). In 2005 the NCA observed (2005: p. 3) the spread of these bases to urban areas. There was a clear correlation between the presence of these operational bases and higher levels of political violence, as well as violations of the freedoms of assembly, association and movement (NCA 2005: pp. 11-13) that are associated with the action-choice of voice and exit.

The 2008 leadership of these bases was described as follows. In a meeting on 14 April 2008, in the Nkayi Business Centre, it was agreed that "...ward command centres' [would be established] composed of three police officers, one war vet and a chief's messenger, thus combining official, paramilitary and traditional structures" (SPT 2008a: p. 15 citing *Sunday Independent* 20 April 2008 and Annex 3). "[T]he chief warden will be given a police uniform and a temporary force number. The role of the chief wardens – the war vets in uniform – is to monitor the police officers at ward level. If the vote is lost, it will be the police that have sold out. The exercise is a *fast track one to achieve desired goals*" (SPT 2008a: pp. 57-58 citing Senior Police Commissioner P, emphasis added). Participant statements from that same meeting confirmed "[t]here is a need to build TEAMWORK [sic]: There should be *total cooperation* between ZRP [police], ZNA [army], war vets and the ZANU-PF party members at the ward level to *achieve the desired goal* in a rerun" (SPT 2008a: Annex 3 emphasis added).

The *Anatomy of Terror's* constituency reports also identified the leadership roles of local ZANU-PF MPs (or former MPs) in commanding (e.g. in Epworth, Hurungwe

North) and/or directing (e.g. in Maramba Phungwe, Uzumba South) and/or supporting (e.g. in Hwedza South) the bases from which the 2008 political violence, terror and intimidation was occurring. The report also names specific, senior members of the regime (e.g. Vice-President Mujuru, Chairman Gono of the Reserve Bank of Zimbabwe and Police Commissioner Chihuri (*Anatomy of Terror* 2011: Mt. Darwin South, Nyanga North and Shamva South annexes) based on eye-witness accounts and/or local knowledge.

These statements are examples of the coordinated, segmented mobilisation of additional resources in order to achieve the 'step-good' of electoral victory in the presidential vote run-off of June 2008. From the perspective of resolving the 'State's Dilemma', the command structures, with their standardised participants and defined roles in the targeting and conduct of the political violence, helped the members of the regime to improve the efficiency of their tactics (Lichbach 1995: pp 50-52). Efficient and effective coordination across constituencies was needed if their national goal of retaining political power was to be achieved, as the quote above acknowledges. The breadth and extent of the cooperation and coordination – across sites as well as between actors and entities – allowed for the needed strategic distribution and deployment of the resources that mobilised and/or undertook the political violence against actual or perceived opponents of the regime. The cooperation and coordination, from the central to local levels, and across local units, were the result of the intentional actions by senior parliamentary officials, security sector agents and partisan actors and groups.

This section has discussed three dimensions of the collective action problem faced by members of the regime – their situation of inter-dependency, the time-bound

nature and the vast geographic scale that is needed for electoral victory in a national poll. Coordination mechanisms were introduced, additional resources were mobilised, and free-riding was reduced. This coordination and cooperation was a rational response to the high degree of uncertainty that existed following the results of the first-round of the 2008 presidential vote, and it reflected the strategic dependency of members of the regime on each other, their agents, and on the choices of Zimbabweans. These intentional actions and strategic responses reduced the uncertainty faced by the members of the regime.

An analysis of the individual findings of the fifteen constituency reports of the *Anatomy of Terror* reveals two additional patterns that support this argument. First, is the extent to which these bases lie dormant between electoral periods. The *Anatomy of Terror* (2011) documented, by constituency, the number of bases which remained active or were dormant between elections. This pattern further confirms the strategic and coordinated nature of the timing of the response and its political violence. Second, there is a notable scale-up in the number of bases established and used for the 2008 elections, when the number of bases grew from the previous high of 82 (in 2005) to a 2008 peak of 130 active bases (*Anatomy of Terror* 2011: p. 7 Table 2). This significant increase confirms the extent of the strategic and coordinated approach deployed by members of the regime and its allies at this critical time of pre-electoral decision – and when ZANU-PF was facing its most significant challenge from the MDC.

*Operation Makavhoterapapi* ('Operation Where Did You Put Your Vote?') is an example of "improving the productivity of tactics" as a solution to collective action challenges (Lichbach 1995: pp. 50-52). The *Operation* was coordinated and put in

place in 2008 to collectively punish the former ZANU-PF areas that had shifted their votes to the MDC in the first round (ZPP 2008b: p. 5):

"ZANU-PF supporters and their allies *have not found it necessary to prove that a person voted for the MDC before meting out punishment*. Instead they have examined results posted outside polling stations to identify areas where people voted for MDC in large numbers, even if the MDC lost to ZANU-PF in those areas" (HRW 2008b p. 16 emphasis added).

SPT concludes, based on their research, that the Joint Operations Command was "...implicated in 56 percent of post-election [human rights] violations" (SPT 2008a: pp. 28-29).

Collective punishment can be an effective monitoring and enforcement strategy. By targeting the group as a whole, rather than specific individuals, members of the regime found an efficient strategy for imposing penalties on Zimbabweans. A collective strategy also facilitates the monitoring of future defections by engaging peers in encouraging, and monitoring, of compliance (Lichbach 1985: p. 215 citing Hechter 1988: p. 153), thus reducing transaction costs. Penalties help to defer exit (reinforce loyalty) by altering the costs of exit. They therefore also alter the choices, of rational Zimbabweans.

*Operation Makavhoterapapi*, imposed penalties in order to align Zimbabweans' choices towards supporting the ZANU-PF leader in the run-off round of the Presidential elections. The *Operation* was organised by the Joint Operations Command (HRW 2008a: pp. 1-2), covered a number of provinces and localities (HRW 2008a: pp. 14-15) and involved senior officials:



"...our [interviewees]... named at least 10 senior ranking police, prison and army officers who report to the heads of the [Joint Operations Command] as inciting or participating in abuses. Their participation could not have occurred without the knowledge and acquiescence, if not direct participation, of the JOC (HRW 2008a: p. 18 emphasis added). The Operation appears to have scaled-up the 're-education' sessions (*pungwes*) that were occurring across Zimbabwe – "...in which they beat and at times torture[d] local residents to force them to denounce the MDC and swear allegiance to ZANU-PF" (HRW 2008a: p. 14).

Collective punishment was the 'stick' intentionally unleashed against the MDC leadership and activists (e.g. polling station agents), as well as other civic organisations, including the Zimbabwe Elections Support Network (ZESN) that had independently monitored the election (HRW 2008c: p. 31; Matyszak 2009: p. 146). The MDC's "...leadership and key grassroots activists, particularly those organisers *who could have been expected to have created problems for the state by mobilising resistance* in the event of a contested outcome to the run-off" (SPT 2008b: p. 29 emphasis added) were also attacked. In June 2008, during the final weeks of the run-off campaign, Morgan Tsvangirai was arrested five times, and over 400 MDC supporters were also arrested (Tarisayi 2009: p. 22). Once again activist voice was targeted, suppressing the voices demanding reform.

The arrests of MDC leaders negatively affected the MDC's ability to organise, campaign and mobilise its supporters (SPT 2008a: p. 22), i.e. to act collectively. Undertaken by members of the regime to reinforce the loyalty of ZANU-PF supporters in advance of the elections, the political violence did indeed serve the "...purpose of preventing deterioration from becoming cumulative, as it often does when there is no barrier to exit" (Hirschman 1970: p. 79). Sachikonye argues for the strategic

intentionality of the violence in building and/or maintaining electoral support: "[t]he *immediate factor* in the unleashing of the violence was *to tip the balance in favour of the incumbent party...*", while the ferocity and scale of the violence in the 2008 run-off period also "...sought to broadcast a wider lesson that ruling party hegemony should not be challenged at all" (Sachikonye 2011b: p. 31 emphasis added). In this case, the political violence inflicted upon so many Zimbabweans served to reinforce both current and future loyalty.

The political violence in the presidential run-off of 2008 was so severe, so systematic and so targeted that the *front-runner* withdrew rather than subject his supporters to any further violence. The scale and coordination of the penalty of political violence had brought mobilisation to a halt, and indeed, altered the available choices for Zimbabweans - including Zimbabwe's MDC-T presidential candidate. The scale of violence against Zimbabweans seeking change, including the MDC leadership and its supporters, was summarised by Morgan Tsvangirai as he announced his exit from the presidential elections:

"This violent retributive agenda has seen over 200 000 people internally displaced and over 86 MDC supporters killed. Over 20 000 homes have been destroyed and over 10 000 people have been injured and maimed in this orgy of violence.

The MDC Secretary General, Hon. Tendai Biti and MP Advocate Matinenga are illegally detained. Over 2000 MDC supporters, including our polling agents, are in illegal detention. The arrests have targeted Members of Parliament, Councilors, the MDC structures and election agents. Over

200,000 people have been internally displaced. *The whole game plan is designed to cripple the MDC campaign*" (statement, 22 June 2008, emphasis added).

His statement specifically cites the roles of security forces, militia, youth forces and the Joint Operations Command in organizing the political violence, and cites the existence of "...over 3000 militia bases..." across the country from which the political violence is coordinated (Morgan Tsvangirai, statement, 22 June 2008).

### **Informal rules to enable impunity**

Loyalty may stem from shared norms and values, but loyalty, *as an action-choice*, i.e. a decision to defer exit, may also be influenced by both penalties and/or incentives. Selective incentives may encourage individuals to cooperate, thus helping with mobilisation (Hardin 1982: pp. 17, 15; Lichbach 1995: p. 216) or may reward past compliance. The use of political violence during this crisis was not new, for ZANU-PF had deployed this penalty and deterrent before. The members of the regime have also previously given impunity for the perpetrators of this earlier political violence (Kriger 2005; Sachikonye 2011b). Impunity reduces the future costs and uncertainty associated with undertaking political violence.

The reward of impunity, as an incentive offered to the *perpetrators* of the political violence, helped to resolve the collective action challenges faced by the members of the governing regime. This incentive became available through the development of informal rules that *de facto* replaced the formal rules governing the

security sector. Some of these informal rules were retroactively formalised (e.g. *Rural Land Occupiers (Protection from Eviction) Act*. As discussed by Knight, informal institutional rules may be formalised as a means of 'locking-in' the distributional advantage that has accrued (1992: p. 143). The vast majority of the perpetrators of this violence were ZANU-PF supporters and allies (Reeler 2009: pp. 31-32, Tables 26 and 27; Sachikonye 2011b; *Anatomy of Terror* 2011: constituency reports; HR NGO Forum 2001; HRW 2008a; HR NGO Forum and JAG 2007: pp. 23-24). The perpetrators benefited from impunity for many of their actions, including those carried out around the 2008 electoral campaign.

Informal rules are those that are created, transmitted and enforced outside of official channels and *shared amongst members of the relevant community or society*" (Helmke and Levitsky 2004: p. 727 italics in the original; Knight 1992: pp. 2-3). Like formal rules, informal rules include a common understanding that actions inconsistent with those that are proscribed or required, are likely to be "...sanctioned or rendered ineffective if actors with the authority to impose punishment are informed about them" (Crawford and Ostrom 1995: p. 583). They replace, in this instance, for a specific set of actors, the formal rules that are written, for example, in the *Constitution* and the *Police Act*.

Informal rules differ in three important ways from the simple, non-enforcement of formal rules. First, they communicate new rules that specifically structure and/or alter relationships between specific groups of actors (e.g. the youth militia and the police). In the case of the Zimbabwean security sector these informal rules emerged through *intentional and strategic decisions* by members of the regime. Second, these

informal rules may provide new permissions that differ from those provided under the formal rules. These permissions may include new freedoms, roles or entitlements. Third, the decision-making sphere and the scope for creating informal rules is different than that where formal rules, and their enforcement, are decided.

Like formal rules, informal rules "guide future action" (Knight 1992: p. 54), including the calculation of the costs and benefits of compliance in making future choices. Both formal and informal rules communicate information to actors that may be incorporated into their strategic decision-making. Although individual perpetrators were still subject to the provisions of Zimbabwe's criminal and civil laws (formal rules), the emergence of informal rules to provide impunity weakened the formal rules that provided sanctions for acts of political violence, abuses and/or crimes. For members of the ZRP these included, for example, professional sanctions under the *Police Act*, and/or legal penalties under the *Criminal Code* (IBAHRI 2007: p. 53).

The targeted non-enforcement of Zimbabwe's own laws (i.e. the intentional decision to 'turn a blind eye') communicated clear information to members of the police, army, youth militia etc. – and also to Zimbabweans. Public statements of the new informal rules communicated to the perpetrators, individually and as a group that they could continue with future violence and human rights violations without expectations of punishment. Targeted non-enforcement of criminal law (e.g. in cases of assault, kidnapping or rape), and the failure to enforce existing professional sanctions meant that the *direct costs* of pursuing the violence, including those that resulted in human rights violations, were not borne by the perpetrators of this political violence. The members of the youth militia, although they operated under informal rules rather

than the formal rules that governed state security actors in Zimbabwe (e.g. the *Police Act*), were still subject to Zimbabwe's criminal and civil laws. These informal rules created roles, and extended permissions and entitlements to the youth militia and its members. An example of the impunity offered to ZANU-PF members and supporters is the following statement:

One of them [senior police officer] said, '*You are under instruction not to arrest ZANU-PF supporters who may be implicated in political violence or whom you may come across committing acts of political violence. Do not use force when dealing with them. At most, you may, when you find them in the act of committing political violence, gently disperse them, but make no arrests, I repeat, do not arrest ZANU-PF supporters*' (HRW 2008: p. 26 citing interview with a police constable, Marondera, 21 August 2008c emphasis added).

Neither internal disciplinary measures nor public condemnation of the violence, by members of the regime, was forthcoming (HR NGO Forum 2001; IBIHRI 2007). Public statements communicated these new informal rules and endorsed their subsequent political violence and human rights violations. Weakened, the formal sanctions within the security sector were often no longer a credible constraint on behaviour:

Members of the police force act as if they are above the law because, in fact, *they are rarely prosecuted* even when they commit the most serious of crimes... *There has been no public condemnation by the President, the Minister of Justice, the Minister of Home Affairs, the Police Commissioner and other senior government officials of even the most shocking cases of torture and ill-treatment by police or any show of a commitment to investigate, discipline and prosecute those responsible, are notable by their absence. On the contrary, the public support expressed by those in key positions of power, such as the President, the Minister for Home Affairs and the Police Commissioner amongst others, for the various actions of the ZRP,*

*appears to have exacerbated the impunity surrounding abuses by police and emboldens them in their unlawful behaviour* (IBAHRI 2007: p. 53 emphasis added).

Statements supporting the political violence occurred, for example this example which justified the violence against Zimbabwe's Leader of the Opposition:

Of course he [opposition leader Morgan Tsvangirai] was bashed. He deserved it... *I told the police to beat him a lot*" (HRW 2007: p. 1 quoting President Mugabe 29 March 2007, emphasis added).

These informal rules communicated clearly to the perpetrators that there were certain benefits and no uncertainty as to the private costs, arising from their participation in violent collective action on behalf of the members of the governing regime. Lichbach states "...[i]t does not pay the typical official of a regime to carry out the orders of the leadership *unless there is some incentive for him to do that separate from his belief in the established system*" (Lichbach 1995: p. 257 citing Olson 1990: p. 15 emphasis added). In this case, the incentive included current and future immunity from the consequences of the violence inflicted.

The continuing existence of the formal rules, meant that individual members in the regime's security and enforcement apparatus had an option to *not act*, that is, to disobey the orders to follow these informal rules and instead to simply obey the formal rule of law. Compliance with informal rules is, however, more likely in those situations where there is a longer-term (iterated) relationship between actors, and by those "favoured" by the distributional consequences of the new institutional rule (Knight 1992: p. 178).

Many Zimbabweans, as well as international actors such as the EU and NGOs such as Human Rights Watch, demanded an end to the political violence and a return to the formal rule of law, encouraged compliance with the informal rule. The Zimbabwe Human Rights NGO Forum asserted that the "...an amnesty for all perpetrators [was needed] in order to avoid confirmation of the allegations of state complicity" (2001: p. 33).

The emergence of new informal rules, the targeted enforcement of formal laws (e.g. *Public Order and Security Act*) against perceived opponents of the regime, and, the targeted *non-enforcement* of the formal laws against the perpetrators of the violence, created a what some have described as a partisan, rather than professional, policing environment (SPT 2005a; IBAHRI 2007). Both the informal rules and the targeted enforcement (and non-enforcement) of formal rules, communicate important information that actors will factor into their strategic decision-making and behaviour. The contrasting bias in enforcement patterns is in itself further information that discourages collective mobilisation, in this case by the opponents of the regime. For individual officers, the public statements, as well as the lack of internal discipline against those committing the violence, would also provide important reference points as to the type of behaviour expected of them.

Impunity was not the only incentive offered. Material benefits were also offered, including "[p]romises of cash, food, alcohol, jobs, promotion, land, housing, education amongst others..." (Sachikonye 2011b: p. 29; Alexander and Chitofiri 2010: p. 678). In rural areas, retaining the loyalty of the village chiefs was essential, particularly in light of the MDC's electoral success in the urban areas. Material



incentives were offered to these critical allies as Sachikonye (2011a: p. 32 emphasis added) noted: "*It is not coincidental* that in the period between 2000 and 2008, the salaries and perks of chiefs were significantly increased by a ZANU-PF government intent on *drawing on their capacity to mobilise the rural vote*".

Through the formal state system, strategic pay raises were offered to members of the security service in order to help retain their loyalty:

The 200 percent salary rise for the army, police and prison services follows a promise made by President Robert Mugabe last week during Independence Day celebrations to review their pay... Political commentator Tendai Murambiwa *alleged the salary hike was designed to retain the support of the security forces*. Remember, MDC president, Morgan Tsvangirai, only recently told the armed forces that they were suffering like everybody else and needed to side with the people..." (IRIN 2006, emphasis added).

Material benefits to members of the security forces and the ZANU-PF militia were also distributed through ZANU-PF's patronage networks, and included beneficial access to state resources. Many of the most senior members of the regime, including the leadership of the security services, received significant financial incentives, including the allocation of commercial farms, and privileged access to foreign exchange or other goods (e.g. fuel) that were in very short supply (Matondi 2012: pp. 81-82; Dawson and Kelsall 2012; IRIN 2007). These material benefits were incentives that went above and beyond the impunity arising from their roles in instructing and/or organising the political violence.

The partisan distribution of these material benefits and their relationship to loyalty were noted by Zimbabweans. The *Anatomy of Terror* (Maramba Phungwe

annex: p. 18) confirmed that "...small [gold] mining claims are given to the militia... while ...MDC supporters are denied access...". In the district of Shamva South the conditionality of these rewards was made explicit: "...Nherera gold claims belong to ZANU-PF perpetrators who illegally pan gold. In return they give 70 percent of the output to ZANU-PF", but ZANU-PF also "...ensures that every beneficiary of the illegal gold panning *participates in ZANU-PF orchestrated violence*" (*Anatomy of Terror*, Shamva South annex: pp. 3, 19, 23, emphasis added). This constituency also report notes that "...most ZRP [police] members were allocated land in the area and *hence* openly and actively support ZANU-PF" (*Anatomy of Terror*, Shamva South annex: p. 11, emphasis added).

This section has discussed the emergence and enforcement of informal rules to enable the impunity of ZANU-PF and its allies during this period. This discussion of informal rules is an important finding that emerges from the theoretical framework of rational choice institutionalism. Rules, formal and informal, structure the relationships between actors, and go beyond norms, to set out the expectations of sanctions or penalties and means of enforcement.

## **Contributions, Threats and Demands for Compliance**

This chapter has already discussed introduced the importance of free-riding. ZANU-PF's conceptualisation of their liberation history and thus of their right to govern, may have, in their view, provided a normative justification for these demands and threats, however their collective action problem was real. Members of the regime

faced the problems of free-riding, strategic inter-dependency and the reality of the 'step-good' of elections. Strategies to reduce free-riding, including strategies of coordination to defer exit, were important to easing ZANU-PF's collective action challenge, as free-riding negatively affects the prospects a group's success (Hardin 1982: p. 98). While selective incentives, including material benefits, were offered to the many actors within the regime and to their supporters, demands for contributions and threats were also made, backed by penalties for non-compliance. Incentives and penalties may alter choices, reducing free-riding as a result.

As a demonstration of loyalty, serving police and army personnel and their families were demanded to vote for ZANU-PF. The loyalty of the security services was important to ZANU-PF, both for their traditional security function but also for their actions to weaken the challenge posed by the MDC (Alao 2012: p. 102). Within the narrative of the *Third Chimurenga*, with its military and war references, visible support from the security services, would symbolically reinforce ZANU-PF's narrative, while functionally also contributing tens of thousands of real and needed votes. Reducing free-riding and increasing the penalties for non-compliance were therefore a targeted strategy by members of the regime to align the electoral choices of these Zimbabweans in support of ZANU-PF. Threats included for example, eviction from the police camps (displacement from homes), on the basis of perceived or actual support for the MDC. Other threats included the loss of employment or of future advancement opportunities.

Cooperation to avoid a loss may be more readily mobilised, in part because losses and gains will be perceived differently (Hardin 1982: pp. 62-64). Losses may be immediate and quantifiable, while a future gain is deferred and may range be less

tangible (e.g. a promise or potential opportunity). Stone argues that "...[individuals] are more ready to sacrifice and take risks in order to avoid a loss" (2002: p. 220).

In Zimbabwe, adjusting behaviour and/or decision-making to retain employment is a common example of avoiding future losses at the individual and/or household levels. Those individuals who were suspected of being MDC sympathisers often lost their public sector employment, or were rejected for such openings (HR NGO Forum 2001: pp. 36-38). The Minister of Foreign Affairs Mudenge was very clear on the matter of losses: "...[y]ou are going to lose your jobs if you support opposition political parties in the [2002] presidential election. As civil servants, you have to be loyal to the government of the day. You can even be killed for supporting the opposition and no one would guarantee your safety" (HR NGO Forum 2007: p. 29 citing *Daily News* 18 July 2001, emphasis added). Disobeying orders creates new private risks for individuals, including the loss of employment and its associated social and material benefits.

Individual rejections (or exclusion) may be seen as a punishment or a penalty for their perceived or actual electoral support of the MDC, while also reserving job opportunities as future rewards (incentives) for ZANU-PF supporters. Maintaining or receiving employment was a significant incentive in the context of Zimbabwe's economic collapse and its accompanying rapid increase in unemployment that led to the vast majority of adult Zimbabweans being unemployed (UNDP 2008: pp. 106-107). However, the public sector was not exempt from the ravages of the country's hyper-inflation and its consequent impact on salaries, making public sector jobs and their

formal salaries less attractive. Nevertheless, with jobs so scarce, for many, a job was better than no job.

Combining the demand (loyalty) with the threat (e.g. loss of employment), clearly sets out the costs (consequences) of non-compliance. The credibility of the threats will be enhanced when non-compliance is readily observed, including through monitoring. The threats commonly made, i.e. the loss of employment and/or housing, are private losses, whereas the behaviour demanded, i.e. continued loyalty to ZANU-PF, is often public. This combination of demanded public behaviour against certain private losses helped to incentivize the partisan behaviour by members of the ZRP and others, for rational actors will seek to avoid the private losses when it is possible to do so. Given the degrees of interaction between employer and employees in worksites or camps, or the presence of security, police and/or militia in the communities, non-compliance may be easily observed and the threat readily acted upon. Prior evictions, whether localized in villages, or widespread such as the eviction of farm-workers, would have also reinforced the credibility of the threat.

This example below demonstrates the coordination that occurred to deliver the threats and demand the contributions. Different hierarchical levels, across multiple organisations – the Zimbabwean police, the war veterans, armed forces, and parliamentary caucus members – are involved. This example is clear on the demands for loyalty and the contribution of votes, as well as the threats of future losses and the sanctions for non-compliance (i.e. displacement and loss of employment):

"...[t]he veterans, led by Sinini Mangena, Stewart Khumalo and the Senator-elect for Gwanda, Japhet Dube (ZANU-PF) were reportedly

accompanied by the officer commanding the province, Ronald Muderedzwa, and the officer commanding administration, Joram Mlilo. They told the wives and dependents of the police officers *they would be evicted from the main police [residential] camp, and their husbands and parents dismissed from the force if they did not vote for Mugabe*, said a police source... The meeting followed [one a week earlier] where police officers were *warned against voting for the MDC's Morgan Tsvangirai*. They were told a Tsvangirai win would see the country sliding into civil war. About 500 Matabeleland South police officers attended the initial meeting.... Mlilo was in the chair... accompanied by Officer Commanding Gwanda District, Chief Superintendent David Difala and Superintendent Konrad Manhai, the deputy officer commanding Gwanda District.... *The chairperson said all police officers and members as well as their dependents, wives inclusive, must vote for ZANU-PF*, said the source. This was to ensure that more than 20,000 ZRP members gave ZANU-PF more votes and an outright victory for Mugabe (*Zimbabwe Standard* 31 May 2008, emphasis added).

The words of one serving police officer reveal the pressure to be loyal:

...[i]t is dangerous [for police officers] to appear to be openly professional when dealing with political cases. If... *there is even the slightest suspicion that you are sympathetic to opposition forces then you may even lose your job*. I know that the officer-in-charge of Mazowe Central Police Station, was forcibly and on short notice transferred to another station... *as punishment for appearing to be sympathetic to MDC supporters*. Again, just before the end of April 2008, the officer-in-charge for Shamva tried by all means to be professional and non-partisan, but was dismissed from his job because ZANU-PF leaders in the area complained about him (HRW 2008c: p. 38 citing interview with police officer, Bindura, 19 August 2008, emphasis added).

The HR NGO Forum and JAG (2007: p. 26) reported multiple cases of members of the police, sympathetic to the commercial farmers being transferred and found a strong correlation between these transfers and the levels of intimidation of the police by war veterans and the youth militia. Promotion opportunities were also affected, and were contingent on demonstrated contributions of loyalty, for example, through participation and engagement in ZANU-PF meetings:

"Since 29 March [2008] a ZANU-PF branch was set up within the [police] camp and it holds weekly meetings on a Thursday evening. Attendance at these meetings is mandatory. I make it a point to attend each weekly meeting and say a few words each time because if I do not attend I risk being labelled an MDC supporter. *Once you are labelled an MDC supporter, you are victimised and you can be guaranteed that you will never be promoted.* Promotion in the police now is not on merit, but is *based on active participation in ZANU-PF meetings and activities.* That is what in police circles is called defending the country" (HRW 2008c: pp. 37-38 citing interview with police officer, Harare, 27 August 2008).

Visible, rather than secret, contributions are easier to monitor and often there are specific measures to allow for contributions to be "identifiable and traceable" (Lichbach 1995: pp. 213-214). Mandatory participation in meetings is one example of a monitoring strategy – individuals are either present or not – and attendance can be recorded or otherwise traced.

A vote is also a contribution that is well defined and is delivered at a specific time and location (i.e. on polling days and at specific polling centres). Democratic standards normally hold an individual's vote as a private matter through the use of a 'secret ballot'. However, members of the ZANU-PF regime took specific steps to reduce the secrecy of the ballot. These make the information from each vote (contribution) more transparent, and, in turn, allow for easier monitoring of 'defections' (Lichbach 1995: pp. 212-213). For example:

"...[t]hose people known to be active in MDC were warned that their names were already on lists of those who had to make assisted votes, on grounds of being illiterate. This meant being forced to ask the election officials and the police to place the 'X' on the ballot" (SPT 2008b: p. 32).

Collective, rather than individual, monitoring was also applied (Lichbach 1995:

pp. 213-214) based on actual or perceived group membership. "Suspected opposition, human rights activists and teachers, were expected to repent, *and that repentance had to be demonstrated* by feigning illiteracy on polling day and seeking assistance from polling officers, comprising mostly of ZANU-PF youth and so-called war veterans" (ZPP 2008b: p. 7). In other areas, village headmen:

"...were also given lists of all the registered voters that they would be responsible for... In some areas, [voters] were told to write down the last two digits of their ballot paper on their hand, to submit to their headman after the vote, so that their precise vote could be traced back afterwards. In a polling station where only a few hundred votes are cast, it would indeed have been possible using this system to check who had dared to vote for MDC in this intimidating environment" (SPT 2008b: p. 32).

This discussion has highlighted the intentional measures introduced by members of the ZANU-PF regime to ease their collective action challenge in advance of the next electoral 'step'. As this section has shown, threats, as well as demands for contributions were deployed to reduce free-riding. Specific measures to make contributions more visible (participation requirements, vote reporting) were also intentionally introduced.

### **Selective incentives – the strategic, partisan use of food**

The partisan distribution of food aid is an example of both the reform to formal institutional rules, of cooperation and coordination, and the development of informal rules in order to reinforce political loyalty and sustain distributional advantage. In this regards, it brings together the different elements of the discussion in each section of this



chapter. To access this material benefit contributions (e.g. votes, party membership) were demanded, helping to reduce free-riding. This final section of the chapter will discuss the strategic, partisan use of food aid (and agricultural inputs such as seeds or fertilizer) as a valued selective incentive to individual ZANU-PF party members, supporters and their families.

As discussed, selective incentives help to alter the choices and decisions of rational actors. Regimes in power are able in a "privileged position" in terms of the ability to strategically draw upon and target selective incentives that may help to mobilise their supporters (Lichbach 1995: p. 258). Offers of material benefits help to defer voluntary exit (Lichbach 1995: pp. 318-319). Food aid is a material benefit that was to be available to Zimbabweans in situations of hunger and food insecurity. But during this crisis, it largely became available only to those who demonstrated their electoral loyalty to ZANU-PF.

The National Constitutional Assembly (NCA) defined the political use of food as "...being refused food due to political affiliation, as well as threats to deprive citizens of food for failure to vote for a political party" (Reeler and Chitsike 2005: p. 24). Given official estimates that over six million people early in the crisis, and, by 2005, over seven million people were in need of food assistance (Human Rights Watch 2003; Meredith 2007: p. 231). This incentive was significant for both individual households and for the governing regime.

Pfaff argues that these incentives is likely to have an especially "...robust [effect on loyalty] when members are dependent on a collectivity for scarce or highly

desired goods" (2006: p. 20 citing Hecter 1987, Coleman 1990). In the context of Zimbabwe's droughts, economic collapse, high rates of poverty and the disruptions to agricultural production wrought by the farm occupations, the value of food aid as a material benefit would be significant. Food aid would be, in this context, both a 'scarce' and a 'highly desired' good.

This discussion of institutional reforms and constraints is a key value addition of this dissertation, for it is a point not directly addressed by the reviewed research on patriotic history. As set out in one of the research questions for this dissertation, these alternative institutional powers enabled the incentives and penalties to be altered and relationships between actors to be restructured. By altering both the decision-makers and the rules of decision-making the content of the decisions was influenced (Stone 2002: p. 262).

Since independence, food aid has been provided on the basis of either partisan criteria (e.g. to reward or encourage political supporters) or technical criteria (e.g. the percentage of children under the age of five that are malnourished). Munemo, in his 2012 study of drought relief pathologies, argues that the key variable in determining the partisan use of food aid programmes is the relative degree of political security felt by the ZANU-PF regime (Munemo 2012: p. 88). When the regime was politically insecure, as in the early-to-mid-1980s, the regime resorted to political partisanship in the deployment of this essential, but scarce, resource. During the drought of the mid-1990s, with the 1987 *Unity Accord*, a new Executive Presidency created, and a significant parliamentary majority, the regime was more confident and continued with

targeted (e.g. under-five children, food-for-work), rather than general food relief programming (Munemo 2012: pp. 99-101, 109).

However, after the 2000 constitutional referendum and parliamentary elections, facing a significant political challenge from the MDC and its supporters, the partisan systems of food aid distribution again began, including the use of “ZANU-PF personnel.... Munemo recognizes the political objective behind these reforms, arguing that ZANU-PF again used the partisan distribution of food aid to "...breathe life into their collapsing rural electoral coalition" and they "...reintroduced the political selection of beneficiaries and a reliance on ZANU-PF personnel [particularly the war veterans] in the administration of relief at the local level" (Munemo 2012: pp. 117-118). His study confirms the history of a partisan deployment of food assistance as an incentive to re-inforce political loyalty, and supports therefore the argument of this dissertation. His findings are congruent with Kriger’s 2005 study on the use of political violence by ZANU-PF since independence, i.e. that the degree of political security is a critical factor in how the regime responds.

As discussed earlier, the ZANU-PF regime’s narrative of patriotic history identified patriots and enemies and sought to both assert the regime’s sovereignty as well as reduce Western influences within Zimbabwe (Tendi 2008; Ranger 2004). As the discussion below demonstrates, many elements of this patriotic history narrative were evident in the political use of food. In particular, the privileged access to the valued, selective benefit of food aid that accrued to ‘patriots’ is an explanatory element that contributes to understanding the mobilising effects of the patriotic history narrative.

To enable the partisan distribution of food aid, alternative institutional powers were established. Decision-making was transferred from the Ministries of Home Affairs and Agriculture, the Grain Marketing Board (GMB), the United Nations' World Food Programme, and local and international NGOs, all of whom were, previously, the key actors in Zimbabwe's food relief programmes (Munemo 2012: pp. 99-101). A new committee, the Task Force on Maize Distribution (also known as the Food Committee), chaired by the Minister of State for Security, replaced the "...long-standing National Drought Management structure, which is comprised of officials and technical staff from the village level to the Vice President's office" (HRW 2003: p. 34). The role of the army in the operations of the GMB and also the Food Committee, from national to district levels was significant and central (HRW 2003: pp. 3, 35; HR NGO Forum 2005b: p. 38, Munemo 2012: p. 118; Reeler and Chitsike 2005; *Anatomy of Terror* 2011: constituency reports). The police and youth militias were also engaged in the enforcement of this partisan food distribution (HRW 2003: p. 3; Munemo 2012: pp. 117-118; Reeler and Chitsike 2005; *Anatomy of Terror* 2011: constituency reports). Munemo identifies continuities with ZANU-PF's earlier periods of political insecurity, and highlights the considerations of partisan gain, however he does not making links to the issues of institutional reform, nor collective action problems.

The involvement of local ZANU-PF representatives (e.g. village chairmen, youth organisers) in selecting the beneficiaries of the available food aid and agricultural support (e.g. seeds) as well as its distribution was well-documented by Human Rights Watch (e.g. 2003, 2008a), the Zimbabwe Peace Project (2007) and the Zimbabwe Human Rights NGO Forum (e.g. 2005a and 2005b) as well as research by Reeler and

Chisike (2005) and Munemo's 2012 study. The scale of engagement and coordination in the 2008 elections was summarized by the ZPP: "...[e]xperiences from all provinces point to a tight, partisan and highly centralised food distribution network" (2008b: p. 27). Food aid programming involves both registration and distribution processes. To simply manage, let alone manipulate, these processes requires both cooperation and coordination among national, provincial and local levels.

Intentional changes to the grain import and distributions rules provided the government-controlled Grain Marketing Board with a monopoly, increasing the dependency of both millers and consumers on the regime (Rowe 2001: pp. 63-95, with reference to Rhodesian monopolies). The *Grain Marketing Act* provides the authority to control the import, sale and movement of controlled agricultural products (*Anatomy of Terror* 2011 Annex C: p. 20). Through their control of the GMB, the registration and distribution processes and the regulatory restrictions on the sale and movement of grain (e.g. from rural to urban areas), *de facto* the regime controlled all access to staple grains (HR NGO Forum 2005a: pp. 12-13).

Members of the regime also deployed the powers of actor selection, i.e. eligibility to distribute, and to benefit from, food relief. Mirroring the actions taken in the media sector, specific international and domestic actors were removed from the food aid registration and distribution processes. By forcing the 'exit' of the international humanitarian community, through intentional, new rules of non-participation, members of the regime removed, in whole or in part, their influence from domestic Zimbabwean politics (Islam 2002: p. 20), while demonstrating actions that supported their statements on sovereignty and reducing Western values. International

NGOs, UN agencies and their local partners were removed from the food aid assessment and distribution processes. In so doing, a product of their relief efforts, i.e. the information generated via reporting on the food insecurity situation, beneficiaries, losses etc., would not be available to the international donor community, generating new uncertainties as to the humanitarian realities in Zimbabwe and affecting both the availability and the reliability of information.

Changes in the institutional permissions that restricted and/or banned international organisations and NGOs from providing humanitarian relief, were once again a solution that helped to resolve the 'State's Dilemma', for these mitigated the domestic impact of the (perceived) international allies of the MDC (Lichbach 1995: pp. 189-193). For example, in Binga District, the United States' Representative to the UN Food and Agriculture Organisation commented: "...Government officials confirmed to me that they will not allow those non-governmental organisations to distribute food aid for political reasons, because the government views them as loyal to the opposition party" (PHR 2002: p. 12 citing *The Guardian* 17 October 2002).

Decisions by some members of the international community to not provide food aid to those newly resettled on the former commercial farms could be seen as the politicisation of aid by the donors (HRW 2003: pp. 45-46), and likely reinforced the perception, within the regime, that the international community was not working on the basis of humanitarian law but, rather, on the basis of its own political preferences.

Powers of actor selection were also used to deny *entry* into the food aid market and new restrictions on actors were imposed. These reforms provided the members of

the regime with a literal distributional advantage as well as a political one. When in 2002, the MDC itself sought to respond to the significant hunger in Zimbabwe, their requests for food import and distribution permits was rejected by the government (HRW 2003: p. 34), thus denying the MDC permission to participate in the food relief market.

The MDC's ineligibility increased the dependency of the MDC's supporters on the ZANU-PF regime, as it was denied an opportunity to directly help its supporters through the provision of a much-needed material benefit. The MDC's prospects for successful collective action were reduced, since, as discussed, the provision of material benefits is one means to mobilise support. For the opposition, the challenge of mobilising support would certainly be exacerbated by the hunger faced by poor MDC supporters, whose time and energy would rationally prioritize access to income and food over political protest and engagement.

Institutional reforms that permitted the partisan distribution of food aid provided an important means by which a selective incentive could be strategically targeted and distributed to help enforce loyalty. These actions were widespread with "... 'an average count' of around 402 acts of harassment and intimidation involving food every month" (Reeler and Chitsike 2005: p. 32 citing ZPP 2005). Specific examples point to both the distribution of food aid as an incentive for loyalty and, to the denial of access of food aid as either a punishment for disloyalty, or to discourage mobilisation of support by the MDC. As an example, in Mt. Darwin South, a ZANU-PF stronghold: "...[t]hrough the assistance of youth officers, names of those who will receive inputs are screened, depriving perceived MDC supporters access to food and

agricultural inputs. *When they are hungry they are told to join ZANU-PF first...*” (*Anatomy of Terror* 2011: Mt. Darwin South p. 18 emphasis added).

Even when the food aid had been distributed through UN or NGO channels, partisan manipulation of the beneficiary lists occurred. As an example, a mother of nine children in the Midlands province, during a meeting to revise the list of food aid beneficiaries, ten MDC supporters were called out by name and forced to leave the meeting; once one of those supporters had renounced her MDC affiliation and purchased a ZANU-PF party membership "...her name was then added to CARE International feeding lists..." (PHR 2002: p. 23).

These inducements were allocated (or denied) either individually, as the two examples above demonstrate, or were allocated (or denied) collectively. In the constituency of Hdweza South:

"...[f]ood and agricultural inputs are distributed through the Grain Marketing Board. *MDC supporters are denied access to this facility...*The traditional leadership working with ZANU-PF councillors segregate MDC supporters and *reward members of ZANU-PF who are the key perpetrators of violence*. Stanley Mapako, the councillor for Ushe ward, is the chief culprit” (*Anatomy of Terror* 2011: Hdewza South p. 9, emphasis added).

In an example of collective penalty, groups of perceived MDC supporters, including many teachers and ex-commercial farm workers – both thought to support the MDC as well as urban residents (HRW 2003: p. 2) – were also denied access to this material benefit. Food aid programmes were shut down “...in areas where residents were thought to support the MDC ...” (HRW 2003: p. 3), deliberately



increasing the risks of hunger or starvation in MDC areas (Hammar and Raftopoulos 2003: p. 14). As Human Rights Watch (2003: pp. 1-2 emphasis added) stated:

"...local officials – mostly ZANU-PF – have been able to manipulate the processes for registering beneficiaries, preventing non-ZANU-PF-supporters from receiving food aid... Those experiencing trouble accessing [Grain Marketing Board] maize share a common identity: they are perceived political enemies of ZANU-PF and the government. Known members of the main opposition party, the Movement for Democratic Change (MDC), top this list of perceived enemies."

In this context of economic collapse, drought and agricultural disruptions, the intentional denial of access to essential food aid dramatically increases the cost of an individual sustaining their allegiance and/or contribution to the MDC. Sustaining this allegiance can be a matter of life and death for both individual supporters and their families, many of whom, given Zimbabwe's population age structure, would be ineligible to vote.

Not surprisingly, the partisan deployment of food aid altered the choices of some MDC supporters – a rational response to scarcity and altered incentives and penalties. For example in Mutoko:

"...his mother and others, whom he said no longer support ZANU-PF, '*are buying party cards for security*, because to get GMB maize you have to have a party card'. Therefore '*...you buy the card, you pay the money, nothing else will do.... You can't refuse. If you refuse you get no maize* [The ZANU-PF party membership card] is a must in the rural areas (HRW 2003: pp. 41-42 citing HRW interview, gardener in Harare, 2 March 2003, emphasis added).

The provision of material support to the supporters of either the regime or of opposition/dissident groups is a well-established incentive that offers a particular benefit which helps to reduce defections or voluntary exit (Lichbach 1995: pp. 318-319). Loyalty is especially likely to be robust where members are dependent on a collectivity for “scarce or highly desired goods” (Pfaff 2006: p. 20 citing Hechter 1987, Coleman 1990).

The requirements for contributions to ZANU-PF, by Zimbabweans wishing to access needed food aid, has also been identified, underscoring the efforts to reduce free-riding through the strategic allocation of selective incentives. In July 2004, the Deputy Minister of Foreign Affairs, Abednico Ncube, “...told villagers in Matebeleland that maize ‘*will be available only to those who dump the opposition and work with ZANU-PF*’. The party would “start feeding its children before turning to those of the MDC” (HR NGO Forum 2005a: pp. 12-13 citing *The Standard* 18 July 2004 emphasis added; see also Matyzak 2009: p. 97). The ZPP reported “... [t]hose who did not attend village and political meetings were more vulnerable to removal from the list. *Beneficiaries were also expected to chant party slogans or denounce one’s party before they could benefit from this aid*” (ZPP 2007: p. 7). In “...some places, one must appear ‘very active’ and pro-ZANU-PF, willingly attending rallies, joining the local ZANU-PF women’s or youth group, etc. to access food” (HRW 2003: p. 43 citing HRW interview, professional in Harare, 2 March 2003). During the 2008 electoral period, the ZPP (2008b: pp. 27-29) also documented multiple cases of both demanded contributions of loyalty in exchange for food, as well as cases where access to food was denied for failure to have made the required contributions.

In addition to the reports cited from which the specific examples are taken, research for this dissertation identified two meta-analyses, as well as public opinion data relevant to the partisan distribution of food aid. The *Anatomy of Terror* (2011: Annex 'H' p. 4) analysed the correlations between MDC political success in the 2000 elections and the partisan distribution of food aid. It found that there were greater difficulties in accessing food aid in ridings where the MDC, rather than ZANU-PF, had won. In the run-up to the 2005 elections, partisan food aid distribution was correlated with other types of political intimidation against members of the opposition (*ibid*). Public opinion polling also revealed the scale and scope of this manipulation of this material benefit during the 2008 elections. *Afrobarometer* (MPOI 2010: p. 53) reported that 12 percent of rural respondents and 17 percent of urban respondents reported that they were "personally affected" by "denial of food or starvation" during the 2008 election campaign.

This discussion of the partisan use of food, using the analytical framework of rational choice institutionalism is important for a number of reasons. This discussion addresses a number of the research questions identified for this dissertation, notably with respect to incentives, penalties, free-riding and the consequences of these reforms for the dynamics of exit and voice. It contributes to the literature by identifying examples of strategic institutional reform (e.g. reforms to the *Grain Marketing Act*, the creation of the 'food committee') to ease the regime's collective action challenge. New permissions and roles regarding food distribution responsibilities to non-traditional actors that were aligned with the regime (e.g. security sector actors, youth militia) were introduced. Changes in the permissive rules as to who may benefit from food aid (i.e.

the selection of beneficiaries) were altered from humanitarian criteria to the partisan criterion of political affiliation.

This analysis also demonstrates the strategic use of selective incentives by the individuals and entities within the regime to retain their own supporters, thus contributing to the resolution of the 'State's Dilemma' as identified by Lichbach (1995: p. 257 citing Olson 1990: p. 15). This chapter's discussion also underscored the scale and the extent to which a selective incentive was provided (or withheld), at both the individual and community levels across Zimbabwe. Such provision, or withholding, cannot be achieved without coordination amongst individual actors – coordination strategically undertaken to sustain distributional advantage.

The examples cited document the mobilising effect, for ZANU-PF of this valued incentive, e.g. new ZANU-PF memberships were purchased, and/or additional contributions to the party made. Both were cited as pre-requisites to accessing the much needed food assistance. The reforms to the rules, and the partisan deployment of selective benefits, increased the dependency of Zimbabweans on the regime, consequently deferring exit. Increased dependency also reduced the prospects for successful collective action by the MDC. Food was provided in exchange for votes: "[f]ood is now a very big campaign tool for ZANU-PF..." (HRW 2003: p. 38 citing HRW interview, human rights activist, 24 February 2003). Or as the title of the Physicians for Human Rights' 2002 report succinctly puts it: "Vote ZANU-PF or Starve".



## **Chapter Five: Forcing exit: the challenge of credible commitments**

The seizure of white-owned commercial farms, the scale of the farm occupations, and the associated political violence were amongst the events that generated considerable international attention to the crisis in Zimbabwe. The return of these lands to black Zimbabweans was a priority of the liberation struggle (Sachikonye 2005: pp. 31-32; Utete 2003: pp. 12-13; Alexander 2007: p. 183). Although some progress in resettlement had been achieved in the two decades of independence (Utete 2003: p. 15), a considerable share of Zimbabwe's best agricultural land remained in the hands of a small number of large-scale commercial farmers.—

For many different political and economic reasons, discussed below, the land acquisition issue came to a head at the turn of the century, including due to the constitutional debates and referendum held in March 2000. Zimbabweans were very sceptical about the government's commitment to, and performance on, the land distribution question, as shown by public opinion data from the period. Land acquisition and redistribution were important issues for two of ZANU-PF's key political constituencies: rural-based voters and the war veterans (Sithole and Rusaw 2003: p. 16; Sadomba 2008), and were issues by which ZANU-PF could distinguish itself politically from the more urban-based MDC. In advance of the June 2000 elections, members of the ZANU-PF regime, needed to demonstrate a credible political commitment on this central issue. The constitutional rules were rewritten, some support to some of the land occupations was provided, and, later, the 'fast-track' acquisition of the farms through forced exit was initiated. These were all intentional

actions that helped to *demonstrate their commitment to the political priority of land acquisition and redistribution*. These actions reinforced the patriotic narrative being promulgated by the members of the ZANU-PF regime, and built upon ZANU-PF long-standing policy commitment on land (Chan 2003: p. 133).

This dissertation contributes to this literature by arguing that the reform of the institutional rules governing property rights altered *the action-choice of exit from one of voluntary to forced exit*. The institutional reforms were thus essential enablers for the land seizures, and the reforms were the result of specific decisions by the members of the regime. For the members of the ZANU-PF regime, forcing exit reduced transaction costs, allowing for the acceleration of land acquisition. Forced exit demonstrated commitment to rural voters through visible action (including through the regime's support for the land occupations). With respect to the action-choice of 'voice', forced exit, helped to suppress and/or punish the voices of dissent within the commercial farming sector. Finally, it also permitted a selective incentive (i.e. the material benefit of land) to be accessed, and/or allocated to, many current or future supporters – including elite members of the regime.

The occupations engaged an increasing number of veterans, subsistence farmers and youth as their number and geographic scope increased, while the formal gazetting of the acquisition of commercial farms communicated further intent on the part of the regime. Both the mobilisation and the intentional actions reinforced the credibility of the regime's commitment to land redistribution, although, as the partisan allocation patterns became clearer over time, Zimbabweans would become more sceptical about the motives of the programme (discussed below). This chapter

discusses the importance of the institutional reforms, the land occupations and seizures, acknowledging that each contributed to addressing the 'State's Dilemma', including through the needed mobilisation and commitment.

The literature uses a wide variety of terms to discuss the physical occupation of the privately held commercial farmland in Zimbabwe. For the purposes of this dissertation, the term 'occupations' as defined by Matondi (2012: p. xi) will be used, i.e. "...the forcible takeover of land (outside the law)". To occupy, invade or squat on land are all intentional actions, that may (or may not) be the expression of the action-choice of voice. Matondi's definition reflects this intentionality, references the institutional framework of the law and also speaks to the issue of forced exit that are the focus of this dissertation. As a definition, it is silent on the question of political support (or not) in the occupations.

The literature on the issues of land and agrarian reform in Zimbabwe is vast and significant. This is unsurprising given the land's own symbolic value, the centrality of the agricultural sector to Zimbabwe's economy, the racial and other inequalities in the sector, and the implications (and intersections) of these dimensions for rural development, poverty reduction, growth, equity and culture. Sachikonye (2003a) and Alexander (2007) provide valuable summaries of the key strands of this literature during the different post-independence periods and debates. The land occupations and seizures, interacting with the patriotic narrative, have also driven new research agendas, including those relating to the issues of land, identity, nationhood and citizenship (Alexander 2007: p. 170 citing Hammar, Raftopoulos and Jensen 2003).

In analysing the literature on *the land occupations and seizures*, three main strands become clear. One strand of the literature focuses on the *outcomes* of the land seizures and occupations (e.g. their impact on equities, food security, employment and/



or productivity, tenure). Key authors include Moyo (e.g. 2001, 2006 and 2011) and Scoones *et al.* (2010). A second strand, focuses on the *process* (e.g. political violence, evictions, legal and rights violations) *and actors* (e.g. veterans, commercial farmers, farmworkers, ZANU-PF members and allies), often linking these into larger patterns of ZANU-PF's governance with both continuities and discontinuities identified (e.g. Marongwe 2003; Alexander 2003 and 2013; Hammar 2008; Sadomba 2008; Sachikonye 2003a and 2003b).

Applying this categorisation of the literature to this dissertation, it would be classified within the 'process and actors' strand, for its examination of the strategic reforms to institutional rules that altered the dynamics of exit and voice, and thus contributed to the political outcomes. As such, it contributes new analytical perspectives, and contributes to answering – through its focus on how institutions align and aggregated choices, as well as their distributional consequences – to Alexander's call (2007: p. 194) that future research help "...to understand how and why policy choices are being made". This dissertation contributes to the 'how and the why' through its attention to the strategic reform of institutional rules, the incentives and penalties that influence choices and decisions, and therefore also distributional outcomes. This analytical division of the literature is constructed to help situate this dissertation within the larger body of research, and it does miss some of the richness in the body of work on the social and cultural understandings of land.

This dissertation, and specifically this chapter, contributes to the literature through an analysis of the institutional reforms, and the dynamics of exit and voice in the commercial farming sector, during the period 2000-2008, and their implications for

ZANU-PF's collective action challenge, i.e. the State's Dilemma. In keeping with the research questions identified for this dissertation, particular attention is given to analysing how the reforms restructured relations between actors in the sector, altered penalties or incentives and generated (or reduced) uncertainty. With such profound turbulence in the sector during the early years of this study period, the dissertation also contributes to the literature by highlighting both the strategic actions taken, and the effects of these decisions.

This chapter opens with a discussion of theoretical literature on the two meta-types of exit – forced or voluntary – and their implications for collective action. It is followed by *an institutionalist analysis* of the reforms to the rules that governed Zimbabwe's commercial agricultural sector and argues that these reforms had provided the government, by the mid-1990s, with the powers of both initiative and of actor selection. Further institutional reforms, undertaken in 2000, enabled the acceleration of land occupations that occurred under the 'fast-track' land reform programme by providing a broad power of compulsion. Voluntary exit ('willing buyer, willing seller') had become forced exit, with implications for both the action-choice of voice and for mobilisation. Building on earlier chapters, this chapter also examines the issues of rewards and impunity, and briefly discusses the specific displacement of the commercial farmworkers, who also, in many cases, suffered forced exit.

### **Voluntary vs. forced exit – implications for collective action**

This dissertation has discussed 'exit' as an action-choice when satisfaction with the current situation declines. Hirschman initially discussed exit as a *voluntary* choice,

one more frequently used in the economic rather than political sphere, but his later works (1978, 1986) discussed and defined exit to include the political sphere (1986: p. 77). Two key points about exit emerged, first exit, is a more direct, and less graduated, means of expressing dissatisfaction than that of voice, and second, its effect arises from its cumulative, rather than individual deployment (Hirschman 1970: pp. 14-17, 23-24).

The dynamics between the action-choices of exit and of voice is of critical importance for the prospects of reform or stability (Hirschman 1970). For Hirschman, voice serves three distinct roles *vis-à-vis* exit – as an alternative, as a complement or, as a residual choice (1970: pp. 34-37). Linking to the earlier discussion, these three roles of voice *vis-à-vis* exit would be linked to vertical voice that is, the expression of dissent to authorities. As discussed further in the synthesis section below, Pfaff (2006) complements Hirschman's argument, by identifying the role of mass exit as a trigger, or source of voice, in his study of exit and voice dynamics of East Germany. However, Pfaff's study is also an example of Hirschman's argument that the *effect* of exit arises from its cumulative implementation (*ibid*: pp. 23-24). In Zimbabwe, the scaling-up of the land seizures, through forced exit, generated (and continue to generate) effects from its cumulative implementation.

The availability of acceptable alternatives is one of the factors influencing the prospects of mobilisation for collective action (Hardin 1982: p. 73), including the mobilisation needed to aggregate and amplify voice. The availability of current and future alternatives will also influence an actor's strategic choice to exit. Hirschman argued that the choice of exit will be actioned "*...in light of the prospects...*" for exercising voice (1970: p. 37, italics in the original). The *threat* of exit, rather than its

immediate deployment, can complement voice, helping to increase its *effectiveness* – for the threat itself may encourage responsiveness to the demands for change on the part of the management or the authorities (*ibid*: p. 83).

In its capacity to generate responsiveness on the part of other actors, **the threat of exit** will alter strategic choices. In this regard the threat will serve as a deterrent, i.e. "...to persuade an opponent to stop or reverse an action" (George 1994: p. 7). To effectively deter, threats need to be credible. Several factors may affect the credibility of a threat to exit, including the degree of interaction between the actors, an important consideration in situations of strategic inter-dependency. If the interaction is a "one-time" only or one in a series of repeated interactions has implications for both decisions and timing of the threat. Hardin (1982: p. 183) notes that action on the threat may be required 'now' in order to sustain credibility, including a credible threat capacity for the future. However, in the case of the threat of exit, this must be qualified – for in some cases 'exit' takes the actor 'out of the game', rendering the threat "a one-time only play" which cannot be used again in the future. The credibility of the threat of exit is also affected both by its costs and the ease with which it can be implemented (Hirschman 1970: p. 83).

The role of voice as a residual of exit is also relevant to the Zimbabwean land seizures and occupations. In this role, it is the *denial of the choice of exit*, or its diminishing prospects, that become the *source* of voice (1970: p. 34, emphasis added). From the perspective of collective action, *denying* exit to targeted actors may mobilise voice, facilitating collective action through its aggregation and expression. *Forcing* exit will restrict the voices of those targeted, as discussed in chapter three with respect

to the media sector and discussed here with reference to the commercial agriculture sector. For rational actors seeking strategic advantage, the intentional creation, or alteration of, rules to limit or to force exit is a decision that has profound impacts on collective action and on strategic advantage. *Forced* exit, imposed by a governing regime, may be a rational solution to reduce collective dissent they are facing (Lichbach 1995: p. 107).

Juxtaposed, these two points – the denial of the choice of exit and the forcing of exit – highlight a critical factor: that is, whether the affected actor is the one who holds the power to decide his own exit or not. *Voluntary* exit is a rational response, by an actor to increasing dissatisfaction, with exit the action-choice arising from an assessment of the altered costs and benefits of giving voice or of remaining loyal. Other actors may impose rules that create new (or alter existing) restrictions on this action-choice of exit, or may remove barriers to exit, with important consequences for the nature and/or depth of dependency between actors. This chapters and also chapter three both reveal the intentional reforms that forced the exit of targeted actors from *specific economic activities*, i.e. journalism, publishing, commercial farming, in Zimbabwe.

Voluntary exit, as an action-choice may take different forms, however Lichbach does not discuss the one other type of exit critical to this Zimbabwean case study, i.e. forced ‘withdrawal’ or displacement. Although Lichbach (1995: pp. 105-107), advanced Hirschman's original work, he identified only three different types of voluntary that are relevant to the dynamics of exit and voice in the context of states. These are: withdrawal, secession and emigration. As an example of withdrawal,

Lichbach discusses voluntary internal re-location (e.g. from rural to urban areas, or to establish a new community) in order to escape from areas of rural dissent and/or conflict. Secession and emigration are both examples of voluntary exit that alter an actor's position relative to other actors in terms of geographic borders. However, forced exit may, a fourth type of exit, may also occur within a state's own borders, in other words – a 'forced withdrawal' or displacement.

Despite the many examples of forced exit *within* states, this scenario of a 'forced internal withdrawal', or displacement, is not discussed by Lichbach. This is a weakness in his analysis, particularly given that forced displacement is a solution to collective action challenges, as discussed here. Displacement, as defined in this dissertation, is the temporary or permanent exit from the local area, community or economic activities. Forced exit, or internal displacement, occurred throughout the colonial and Rhodesian periods, contributing to, amongst other effects, the unequal distribution of agricultural inherited by the ZANU government at independence (SPT 2010: p. 15; Utete 2003: pp. 10-14). Decades later these displacements would help to motivate the liberation struggle and then, during the period of this study, provide ZANU-PF with a key element of their patriotic narrative.

Forced internal displacements not only occurred under British and Rhodesian rule, but the members of the ZANU-PF regime also forced exit. Hammar (2008) identifies several examples from Zimbabwe's post-independence history. *Operation Murambatsvina* (Tibaijuka 2005; SPT 2005b and 2010) targeting many of Zimbabwe's urban areas and populations, as well as the displacement of the commercial farmworkers (discussed below) are Zimbabwean examples of forced internal

displacement during this period under study. The no-go zones established to restrict the movement of MDC supporters, discussed above, also created temporary, targeted, displacements, often at local scale (e.g. *Anatomy of Terror* 2011: constituency annexes; HR NGO Forum 2001 and 2005b).

This chapter argues that, in the context of this political crisis, the reform to institutional rules regarding land acquisition, enforced by the mobilisation of land occupiers is an example of forcing exit (withdrawal). Land acquisition had been a long-standing commitment, but now, facing their significant Dilemma, and needing support, forcing displacement (exit) helped to resolve their immediate collective action challenge. Displacement is a common strategy to reduce collective dissent (Lichbach 1995: p. 106. Forced exit helped to resolve ZANU-PF's collective action challenge in several ways: by mobilising ZANU-PF supporters, and support, through visible action on the land issue; by reducing collective dissent and by permitting a selective incentive to be acquired.

This section has discussed the different roles of voice *vis-à-vis* exit, the different types of exit, and has noted the important distinction between voluntary versus forced exit. Exit, also interacts with loyalty, and in this regard, barriers to exit and the issues of group size, uncertainty and the costs of exit are relevant. Restrictions on exit from the group may affect both the size and composition of the group. Barriers to exit may help the group to maintain its size and its cohesion, despite rising dissatisfaction. Barriers to exit are therefore particularly important in situations where specific skills, networks and/or resources are required for group success. Barriers to exit also assist in the monitoring of defections from the group, helping to address the challenge of free-

riding. Barriers to exit, like barriers to entry, reduce the group's "permeability", i.e. "...the ease with which one [can participate]... in the group" (Lichbach 1995: p. 214 citing Lasswell and Kaplan 1950: p. 35).

In those situations where the actor is affected by, but does not control the rule-making process that is altering the group's permeability, the actor may face increased uncertainty. Rules that alter the group's composition and/or its structure may generate uncertainty, as discussed with reference to the issues of accreditation of journalists. Changes in the group's permeability may also increase the uncertainty of individual actors about future institutional alternatives and consequences, the actions of others with whom they interact, and their own uncertainty about their future status within the group (Knight 1992: pp. 44-45). These uncertainties were discussed in more detail in chapter two, but examples pertinent to this discussion of commercial agriculture exist. As the ZANU-PF regime forced exit, the permeability of the rules governing membership in both the Commercial Farmers Union, and the GAPZUW representing the farmworkers, were also being affected.

A specific cost of exit, that is, compensation for the land itself, was a central issue in the land debate<sup>11</sup>. The *Constitution*, at independence, restricted the state's purchase of land to a 'willing buyer, willing seller' basis (see next section). Compensation was a financial means to incentivise voluntary exit by the commercial farmers, but, when paid, was also a formal recognition of the existing property rights of individual farmers. Compensation was also an important financial constraint for the

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<sup>11</sup> For many in Zimbabwe, including ZANU-PF's leaders, compensation was also discussed as a moral issue, in light of the original colonial expropriations. Shaw (2003) discusses the components and limitations of this view. Public opinion data in Zimbabwe supports Zimbabweans' own sense of the importance of the issue, as discussed below.



ZANU-PF regime wishing to encourage or force exit. Other relevant costs of exit included the loss of "...life-long associations... [and/or] ...deprivation of livelihood..." (Hirschman 1970: p. 96 citing Almond 1954: Chapter 12). Exit from their primary source of livelihood, as well as the disruptions to their community ('life-long associations') were the realities and costs facing members of the white-Zimbabwean commercial farming community as well as many of the farmworkers.

As discussed below, institutional reforms were reducing the mobility of property rights, as the government altered the rules of the commercial agriculture sector to provide itself with new powers and permissions. Both Hirschman (1978: pp. 96-101) and Lichbach (1995: p. 24) discuss more broadly the issue of mobility of property rights and the implications for the action-choices of voice and exit. Hirschman argues that the mobility of property rights is a key element in increasing the prospects for voluntary exit over voice. Those with more fixed property (e.g. land, buildings) are more likely to choose the action-choice of voice over voluntary exit as the costs of exit, i.e. the loss of fixed assets, would be more significant.

In situations of both *forced* exit, and of low mobility of property rights – such as that found in Zimbabwe's commercial agricultural sector – it is rational that this preference for the action-choice of voice will apply. The dynamics of exit and voice therefore offer useful explanatory value to understanding the response *from commercial farmers* to the institutional reforms on land acquisition being introduced by the members of the regime. Faced with reduced mobility of their (weakening) property rights, and rules that were transitioning their choices from voluntary to forced exit (see below) many expressed their action-choice of voice.

Finally, the demographics of Zimbabwe's commercial agricultural sector also highlight that the comparative size of contesting groups matters in a situation of contentious collective action. As the members of the ZANU-PF regime faced their collective action challenge known as the 'State's Dilemma', the demographics of the group of commercial farmers (both ethnically and in terms of numbers) were no match for the hundreds of thousands of black Zimbabwean voters in the communal areas seeking land for resettlement. Forcing exit from the farms offered strategic partisan gain, i.e. *political advantage* by one political party and its members over another, through the mobilisation of political support.

However, the farmworkers, numbering approximately two million (Hardnack 2005: p. 174 citing Rutherford 2001 and Sachikonye 2003) were also an important demographic group, particularly within ZANU-PF's political base of the Mashonaland provinces, where nearly one-half of the commercial farms were located ((Utete 2003: p. 24 Table 1). As discussed below, this group posed challenges to the members of the ZANU-PF regime. Their forced exit, also contributed to the easing of the 'State's Dilemma', including by reducing the numbers of perceived 'enemies' in the rural areas of Zimbabwe and ZANU-PF's political heartland.

This section of the dissertation has discussed the concepts and typology of voluntary versus forced exit, as well as their respective implications for collective action (e.g. mobilisation, voice). *It has identified that the critical factor in the dynamics of exit and voice, is which actor holds the power to decide 'exit'.* The next section of this chapter discusses in more depth the strategic institutional reforms that altered the dynamics of exit from one that was voluntary to forced.

## **Forcing exit: Reforming property rights in the commercial farming sector**

Historically, the commercial farming sector has been one of Zimbabwe's most important economic sectors, supporting food production, foreign exchange earnings via exports, significant direct employment as well as the development other related industries (UNDP 2008: pp. 126-155). However, the disparity between conditions in the commercial farming sector, with its large land-holdings, and access to productive resources, contrasted sharply with the conditions in the communal areas where many Zimbabweans lived – areas that were densely-populated and largely situated in the poorer quality agro-ecological zones (Sachikonye 2005: p. 32; Matondi 2012: p. x). This disparity was particularly noticeable in the ZANU-PF heartland of the Mashonaland provinces, where nearly one-half of the large-scale commercial farms were located (Utete 2003: p. 24 Table 1).

Land ownership was an important element of ZANU's liberation struggle (Sachikonye 2003a: pp. 228-229; Sachikonye 2005: pp. 31-32; Utete 2003: pp. 12-13). Given both the economic and political importance of the white-owned commercial farming sector, it was not surprising that specific rules governing the post-independence interactions between the new government and the sector were negotiated as part of the political transition to an independent Zimbabwe. The *Lancaster House Agreement* stated:

"When property is wanted for one of these purposes [public benefit or "settlement for agricultural purposes"], its acquisition will be lawful *only on condition* that the law provides for *the prompt payment of adequate compensation* and, where the acquisition is contested, that a

court order is obtained. A person whose property is so acquired will be *guaranteed the right of access to the High Court to determine the amount of compensation*" (Lancaster 1979: Annex C Article V(1), emphasis added).

These rules governing property rights were, in turn, set out in the 1979 *Land Acquisition Act* and inscribed into Zimbabwe's new *Constitution* (Matondi 2012: p. 36 Table 2.1). At a time of significant political change, these rules offered greater economic certainty to actors, including both farmers and investors, and let the new Zimbabwean government turn its attention to other priorities and challenges.

These rules also structured the relationship between the actors, creating opportunities for both voluntary exit ('willing buyer, willing seller') as well as the action-choice of voice (right to appeal). These rules established the permissive framework under which land acquisition could occur, and set the conditions for the use of voice, i.e. the conditions under which appeals of the government's decisions were allowed. The rules also established a specific prohibition, i.e. the new Government of Zimbabwe (GOZ) could not compulsorily acquire land for the purposes of resettlement without the payment of compensation. This prohibition restricted forced exit, and as Sachikonye (2003b: p. 17) and Utete (2003: p. 15) argued, also limited the possibility of a comprehensive approach to land reform.

Off-setting this economic certainty was the fact that these rules were both conditional and time limited. Land acquisition was conditional upon the availability of financial resources (either domestic or through international assistance) (UNDP 2008: p. 159), at a time when other socio-economic demands and budgetary pressures in the now independent Zimbabwe were considerable. Second, the protections offered by

these rules were of fixed duration. These constitutional protections would end in 1990 – that is, ten years after Zimbabwe's independence. These protections were also effectuated indirectly, through a broader limitation on constitutional amendment during the first post-independence decade (Sadomba 2008: p. 63 citing Moyo 1995: p. 106).

However, in 1985, the *Acquisition Act* revised the rules to narrow the permissions associated with the sale and transfer of the farmers' property rights. The *Act* provided the GOZ with the 'right of first refusal', a right that was still responsive to the voluntary decisions of individual landowners (Moyo 2006: p. 147). The right of first refusal did not include the power of selection, nor the power of initiative. The responsiveness also meant that geographic distribution of land acquired varied. Seventy percent of the land offered was in southern Zimbabwe meaning that little progress on land acquisition was made in the politically important Mashonaland provinces (Moyo 2006: p. 147 note 93). -

For the landowners, the *Act* obligated them to offer the right of first refusal to the GOZ, constraining their action-choice of exit only indirectly, i.e. through the choice of purchaser, rather than the decision, or the timing of the sale. Once offered, a *Certificate of No Present Interest* was issued by the Government if the GOZ did not wish to acquire the land (Matondi 2012: p. 36 Table 2.1). These certificates supported the continuance of these property rights. These rules remained in effect until 1992, two years after the land acquisition provisions of the post-independence *Constitution* ended.

Not surprisingly, with the post-independence prohibitions now expired, the 1992 *Land Acquisition Act* (Zimbabwe 1992) further altered the institutional rules to provide a more permissive framework that would govern the acquisition of land for

resettlement. The *Act* created a new power for the government, i.e. the legal authority to designate, and therefore acquire, specific parcels of land for the purposes of resettlement (Zimbabwe 1992). Designation transferred some of the decision-making to the regime, through a veto over the future disposition of the farm or parcel of land for a period of up to ten years. The governing regime now held, for the first time, a limited veto on the action-choice of voluntary exit by specific landowners. The power to force exit (displacement), and to select the timing of this exit was now emerging. This power was broader than *Lancaster's* general criterion of 'willing buyer' (government) and 'willing seller' (landowner), and the 1985 *Acquisition Act's* responsive option of the 'right of first refusal'.—

The *Land Acquisition Act* created new powers, including the powers of initiative (to designate), of selection (specific designation decisions) and of compulsion (compulsory acquisition and mandatory compliance). These powers, i.e. "...strategies that seek to alter the content of decisions by shifting the power of decision-making to different people" (Stone 2002: p. 262) restructured the relations between the regime and other actors within the sector. For the members of the ZANU-PF regime, these new powers greatly reduced future transaction costs and allowed the regime to alter the permeability of the sector. Together, they increased uncertainty for some actors (e.g. commercial farmers) and raised the expectations of others (e.g. rural Zimbabweans).

To create a power of initiative, in this case the power to designate land under the *Land Acquisition Act*, is a purposeful decision that communicates a strategic intention to act. However, the power of initiative, because of its intentionality, also raises stakeholder and political constituency concerns and modifies expectations

(Solesbury 1976). The delays in advancing land acquisition and distribution following the proclamation of this *Act* generated frustration among ZANU-PF's key constituencies (Utete 2003: p. 15; Sadomba 2008: p. 20; UNDP 2008: pp. 9-10). The power of initiative allows an issue to be addressed through targeted action, and, like many rules, is also prospective in nature (Solesbury 1976: p. 383; Knight 1992: pp. 68-69 citing Searle 1969: p. 42).

By vesting the powers of initiative and selection with the governing regime, the limited veto created by the *Land Acquisition Act* (Zimbabwe 1992) created greater uncertainty and increased costs for *other* actors, specifically the commercial farmers and agricultural landowners. The power of selection – in this case the power to designate a *specific* parcel of land – increased the dependency of individual landowners on the decisions of the governing regime, as Rowe discussed with reference to the Rhodesian commercial agriculture sector under sanctions (Rowe 2001: pp. 115-120). Zimbabwe's commercial farmers now faced uncertainties about whether, when, and to what extent (i.e. in whole or in part), their land may be unilaterally designated.

The power of compulsion also minimizes transaction costs as it is a power that shifts the costs of compliance to other actors. The costs of monitoring the designation process, of challenging in court the decision, i.e. the action-choice of voice, as well as the costs of addressing the decision's ramifications (e.g. coordination with others, business losses) were transferred to others. Many farmers reported learning of the designation only via announcements in the newspaper (ICG 2004: p. 85).

The reforms to the *Land Acquisition Act* removed the earlier institutional constraints that had restricted the scale and pace of acquisition. The 'willing buyer,

willing seller' model *de facto* limited the scale and pace of acquisition, and the 1985 *Acquisition Act*, only modified slightly by forcing the 'first right of refusal' to the GOZ. However, the *Land Acquisition Act*'s powers of initiative and selection could be applied in aggregates. Aggregation increases the productivity of the tactics and strategies deployed (Lichbach 1995: pp. 51-54), including by minimizing transaction costs.

In Zimbabwe, the aggregation strategies decided and adopted included designating farms where the landowner held ownership of more than one farm or establishing maximum sizes for farms and prohibiting the sale of commercial farms that exceeded this specific size (Utete 2003: pp. 19-20; Sachikonye 2003b: p. 39). The "Report of the Presidential Land Review Committee on the Implementation of the Fast Track Land Reform Programme (2000-2002) ('The Utete Report')" (Government of Zimbabwe, 2003) states that the *Land Acquisition Act* was adopted "...[in] a bid to speed up the process of land acquisition and resettlement" (Utete 2003: p. 15; Matondi 2012: p. 35).

These powers altered the rules governing commercial agricultural property rights, and restructured the relations between the ZANU-PF regime and the white-Zimbabwean dominated commercial agricultural sector. Designation denied the landowner of voluntary action-choice of exit, for the powers of designation made the GOZ the decision-maker, including a time-bound veto over the land's future disposition. Designation *de facto* removed the land from the private property market, removing the choices (both financial and in terms of timing) it offered to commercial farmers.



Rowe's study of the institutional reforms in Rhodesia under UDI, found that the increasing government monopoly of property rights (e.g. the Rhodesian regime legislated itself as sole buyer and exporter of the tobacco harvest) meant that the commercial farmers became increasingly dependent on the governing regime for the maintenance of their property rights, and therefore their livelihoods (Rowe 2001: pp. 83-88). These institutional reforms that weakened property rights "...helped to [raise dramatically] the opportunity costs of political dissent" (*ibid*: p. 95), in other words, the action-choice of voice. However, the Rhodesian reforms did not affect the asset of land itself but rather the agricultural production generated from these assets. In Zimbabwe, the gradual accumulation of powers over property rights by the governing regime affected the primary asset, i.e. the right of title to the land itself. As discussed, the denial of the action-choice of voluntary exit had become a residual source of voice despite its private costs and uncertain prospects of success.

Zimbabwe's commercial farmers, facing forced exit from both their businesses and their homes, rationally exercised their action-choice of voice. The *Act* permitted this voice, with its rules regarding the right to appeal the designation decisions. In 1997, 1471 farms were designated (out of an estimated 8700 farms), with 1393 objections received and 510 of these objections upheld (Utete 2003: pp. 15; 24 Table 1). Subsequent, intentional reforms to the *Act* restricted the processes of appeal, and therefore also narrowed the opportunities to exercise the action-choice of voice.

The *Land Acquisition Act* was introduced in 1992, when the government was facing some new uncertainties and some important pressures. The *Act* greatly reduced the regime's uncertainty regarding the future institutional alternatives and their distributional consequences for Zimbabwe's best agricultural lands. It was a strategic action that established new 'rules of the game' (North 1990), and rules that were more permissive, and furnished new powers.

However, while the *Act* provided this new certainty, the governing regime was, under the Economic Structural Adjustment Programme (ESAP)<sup>12</sup>, committed to liberalizing the Zimbabwean economy. The ESAP's design, with its budgetary constraints, did not take into account the need for land acquisition (Moyo 2000a: p. 11), but, nevertheless, still had important consequences for the commercial agriculture sector. For example, under ESAP, commercial farmers benefited from labour reforms that reduced farm-labour costs and privatised the agricultural marketing boards (ILO/GOZ 1992: pp. 51-52; IFPRI 1998), as well as new rules governing foreign exchange and export earnings (Moyo 2000b: p. 54; Pilossof 2012: p.30).

Many of these structural economic reforms were enacted at the insistence of the international community, and there were divisions within the government over their merit (Clapham 1996: p. 163; IMF 1998: Country Profile Zimbabwe). The increasing influence of the international community in domestic economic reforms (Mumvuma 2006; Brett 2008), may have contributed to the regime's later frustration about western interference and the elements of sovereignty that was part of their patriotic narrative. The ESAP and ZIMPREST programmes also reduced the role of the state (IMF 1998). This put at risk many of Zimbabwe's gains during the post-independence period, but also ZANU-PF's patronage-based system of loyalty/support.

The *Land Acquisition Act* and its new powers demonstrated a commitment to advancing land acquisition and redistribution. Sachikonye (2003a: p. 231) argued that ZANU-PF's political security, as evidenced by their significant parliamentary majorities and weak political opposition, meant that the members of the regime felt

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<sup>12</sup> and later its 1996 successor, the 'Zimbabwe Programme for Economic and Social Transformation' programme (ZIMPREST).

little pressure to act, while Matondi (2012: p. 19 citing Matondi and Moyo 2002) argued that ESAP-related budget cuts limited the possibilities of large-scale land acquisition. Given the multi-dimensionality of public policy-making, it is possible that both arguments are valid, with ZANU-PF's sense of political security potentially reducing the pressure to act, and the international pressures to cut budgets likely providing an external justification to explain the limited action. During the early-to-mid 1990s, only 17,000 additional families were resettled, far short of the established target of 110,000 families (Sachikonye 2005: p. 32; UNDP 2008: pp. 151-153). Many members of the ZANU-PF elite were able to take advantage of these economic liberalisations, and perhaps too the sense of political security. Many obtained leasehold access to commercial farmland, benefiting from a desire for black economic empowerment within the sector (Sachikonye 2003a: p. 232; Moyo 2006: pp. 145-146).

The country was also facing a very significant and prolonged drought that created, or exacerbated, food insecurity for many rural Zimbabweans. Rural Zimbabweans living in the poorer, communal areas were also struggling with increasing population pressures, economic reform and the HIV/AIDS pandemics – each of which had an adverse effect on agricultural livelihoods. The economic pressures faced by Zimbabweans increased (Mumvuma 2006: pp. 250-252; Meredith 2002: p. 161; Saunders 2000: p. 63) and *per capita* income fell by nine percent during the period 1990-1996 (IMF 1998: p. 103).

As discussed, new rules that provide the power of initiative raise expectations of action. In these circumstances of drought and hardship, and the long pent-up demand for land, it is not surprising that rural Zimbabweans began to exercise their

action-choice of voice, expressing their dissatisfaction and increasing frustration with the pace of land resettlement (Sachikonye 2005: p. 32; Moyo 2000b: pp. 146-148). In late 1999, nearly three-quarters (73 percent) of the Zimbabweans surveyed by *Afrobarometer* rated the government's handling of the issue of "...enough land for everyone" as either "not very well or not at all well" (Chikwanha-Dzenga *et al.* 2001: p. 26 Table 11). Allegations that many senior ZANU-PF officials were privately benefiting from the land acquisition process generated further pressure for action (UNDP 2008: p. 152; HRW 2002: p. 7).

Although the government and international donors did build a consensus for land acquisition and resettlement, with an agreed target of 5 million hectares of land, this consensus and its recommendations were not implemented, due in part, to a lack of significant financial support from donors (Utete 2003: p. 16; UNDP 2008: p. 152). Disagreements between the international donor community and the GOZ, regarding land purchase financing existed, including as a result of the realities of the state facilitated elite access to land, concerns about cronyism and corruption, as well as the implications of these actions for inequalities and beneficiaries (Sachikonye 2003a: p. 232; HRW 2002: p. 9).

Given the centrality of the land compensation issue, the communicated position of President Mugabe in 1997 is important:

"We are going to take the land and we are not going to pay for the soil. *This is our set policy.* Our land was never bought and there is no way we could buy back the land. However, if Britain wants compensation, they should give us money and we will pass it on to their children" (UNDP 2008: p. 154 citing *The Guardian* 15 October 1997, emphasis added).

However, Britain's role as the colonial power at the time of the original Rhodesian land expropriations, and their post-independence influence as a major international donor to Zimbabwe, made their views important as well. The new British Minister for International Development, Clare Short, replied, in November 1997 to the Zimbabwean Minister of Agriculture:

"I should make it clear that *we do not accept that Britain has a special responsibility to meet the costs of land purchase in Zimbabwe*. We are a new government from diverse backgrounds without links to former colonial interests. My own origins are Irish and as you know we were colonised not colonisers. We do however recognise the very real issues you face over land reform...We would be prepared to support a programme of land reform that was part of a poverty eradication strategy but not on any other basis" (Utete 2003: p. 15 emphasis added).

These opposing views were emblematic of the polarisation between Britain, the 'West' and Zimbabwe as the crisis unfolded. These and other past (e.g. colonial and Rhodesian era events) were amplified and reinforced through the ZANU-PF's patriotic narrative, particularly through its emphasis on sovereignty, the centrality of land, and its resistance to Western interference.

President Mugabe, at the donors' conference, also underscored the growing frustration of Zimbabweans with the slow pace of land resettlement: "[i]f we delay in resolving the land needs of our people they will resettle themselves. It has happened before and it may happen again" (Utete 2003: p. 16). In the late 1990s, small-scale land squatting occurred, as the communal areas suffered from both poverty and population pressures (Matondi 2012: p. 20; Sachikonye 2003a: pp. 233-234).

Landowners sought, and obtained court orders to uphold their property rights, which in

turn were often enforced as the police carried out a number of legal evictions (Sadomba 2008: pp. 97-118; Matondi 2012: p. 20; Utete 2003: p. 15).

Matondi (2012: p. 32) argues that the failure of land reform during this period (1998-2000), was one of several factors, but not “the sole cause” that gave “...rise to the [fast-track land reform programme]”. Local pressures for land redistribution also had increased (Moyo 2006: pp. 148-146). The war veterans became increasingly vocal about their impoverished situation, adding to those rural Zimbabweans that were already expressing their dissatisfaction, through the action-choice of voice. The Zimbabwe National Liberation War Veteran's Association (ZNLWVA), inaugurated as a national organisation in 1992 (Sadomba 2008: pp. 84-85) increased its pressure on members of the regime throughout the 1990s, including on land issues.

The ZNLWVA's advocacy led to new presidential pledges of material benefits (i.e. pensions), enacted through changes to the *War Victims Compensation Act* (Zimbabwe 2001b). The war veterans also continued to advocate for immediate land redistribution (Sadomba 2008: p. 20; Moyo 2001: p. 314), and threatened further farm occupations if the regime did not include them in the resettlement processes (Sadomba 2008: pp. 92-93). They were to be beneficiaries, with President Mugabe pledging “...twenty per cent of all land that was to be acquired by the state for resettlement and residential purposes” would be allocated to the war veterans (Matondi 2012: p. 26 citing Sadomba and Andrew 2006: p. 9).

The financial commitments to the war veterans had significant economic (UNDP 2008: p. 10) and important political consequences. Sadomba argues that they created tensions with other Zimbabweans and helped to alienate the war veterans from

other members of the political opposition. The elite's abuse and corruption in the allocation of these funds also helped to more broadly fuel opposition to ZANU-PF and to its economic management (Sadomba 2008: p. 91; ICG 2004: pp. 56-58).

Different authors furnish different dates for the political alliance between members of the ZANU-PF regime and the war veterans, with implications for understanding the causal reasons for the alliance. Chitiyo (2009: p. 3) dates the alliance back to 1997, and although he provides no additional detail to justify his assertion, the timing coincides with the pensions decision. This suggests an alliance based on the satisfactory resolution of ZNLWVA's demands for improved material benefits, in exchange for support and political loyalty to ZANU-PF. Alexander *et. al.* (2001: pp. 56-58) discuss that, due to these payments, ZANU-PF mobilised continued support from an important nation-wide organisation, i.e. the ZNLWVA. They also note, however, that this political support was not shared by all members (including those who left ZNLWVA to form the Liberators' Platform for Peace and Development), and many from the Matabeleland region.

Sadomba (2008: p. 146) dates the alliance to February 18<sup>th</sup>, 2000, arguing that this alliance was a strategic choice by ZANU-PF, to reduce the collective dissent from this constituency – in other words to help ease ZANU-PF's collective action problem. In his view, the alliance was intentionally made to "...avoid fighting a battle [of survival] on two fronts..." i.e. with war veterans and the MDC (Sadomba 2008: p. 92). The war veterans were important allies - many had fought for ZANU during the war, were members of the party and whose liberation experiences were closely linked to ZANU-PF's own patriotic narrative. With reference to liberation movements more

broadly, Clapham (1996: p. 242) argued that their sense of ownership of the state creates a "sense of accountability to the [liberation] movement and to the fighters, rather than to the population as a whole" as well as a "particular[ly] intense resentment at external pressure..." for domestic policy change. In the years following, as the crisis in Zimbabwe unfolded, Clapham's words would be prescient.

Sadomba's analysis recognises strategic decision-making, but also suggests two opponents external to the regime. However, Moorcraft (2011: p. 142) argues that the alliance was to consolidate Mugabe's hold on ZANU-PF itself by reducing attacks from *within* the party, including those who were members of the security services. Retaining the support of the Zimbabwean Defence Forces (ZDF) was critical, and many members of the ZDF were also former veterans (Moorcraft 2011: p. 167; Chitiyo 2009: p. 3). More generally, Lichbach asserts that a "...disloyal military is a sign of weak government resources" (Lichbach 1995: p. 68) that can reinforce collective action problems.

Strategies of cooperation with traditional allies and/or the allocation of selective incentives are strategic decisions that both build and communicate strength by reinforcing the ruling party's unity. One of the solutions to resolving collective action problems is to "increase the probability of winning", with both the state and 'rebels' calculating how to appear strong in order to alter expectations towards future success rather than failure (Lichbach 1995: pp. 62-81). The support from the war veterans reinforced the liberation elements of ZANU-PF's patriotic narrative, adding credibility to both its messaging – and to its threats. This political alliance also helped to exacerbate the collective action challenges faced by the MDC, for example, given the



role of the war veterans in the political violence that occurred. Members of the ZNLWVA declared their political support for ZANU-PF in the critical June 2000 elections (HRW 2002: p. 8) and "...vowed never to let the MDC assume power" (HR NGO Forum 2001: p. 5).

This chapter has discussed the development of specific institutional reforms that provided the regime with new powers, and the limitations of the 'willing buyer, willing seller' model. Both have been discussed with specific reference to the dynamics of the action-choices of exit and voice. The dissatisfaction of many of ZANU-PF's traditional rural supporters, and the war veterans, was confirmed by public opinion data that revealed Zimbabweans' dissatisfaction with the performance of the regime on the critical issue of land. The failure of the international community and the GOZ to reach an agreement on the terms and financing of land resettlement has been noted. However, another critical element in the reform of property rights in the commercial agriculture sector was the constitutional reform process and debates. These will now be discussed.

### **Land acquisition and the constitutional debates**

Also in the late 1990s, the National Constitutional Assembly (NCA) and its allies were building support within Zimbabwe for a new, more democratic constitution that amongst other reforms, would reduce the powers of the executive presidency, and introduce democratic and electoral reforms (McCandless 2011: pp. 48-49; Saunders 2000: pp. 92-95). The NCA was a civic coalition that brought together trade unionists, the

Zimbabwe Council of Churches and other civic and human rights organisations (McCandless 2011: pp. 40-41, 48-49; Dorman 2003).

The NCA and its advocacy generated new pressures on the regime, and also generated new uncertainties, both through the substantive content of the constitutional reform debates and the scale of their mobilisation. These debates, and the NCA's constitutional reform process *de facto* targeted the institutional stability, and its distributional advantage, that were sustained by the rules of the current *Constitution* with its powerful Executive Presidency. Seeing the NCA's efforts as an emerging threat, and seeking to reduce the uncertainty associated with constitutional reform, i.e. future institutional alternatives and design, a government-led constitutional commission ('the *Chidyausiku Commission*') was created in 1999, to develop its own constitutional proposals for the President. The government-sponsored draft constitution, rather than the people-driven draft of the NCA would then be subjected to a national referendum vote (Dorman 2003: pp. 849-854; Saunders 2000: pp. 96-97).

Although the *Commission's* findings were criticised for not fully respecting the views expressed by Zimbabweans during the *Commission's* hearings, particularly on the issues of the executive presidency (Saunders 2000: pp. 99-100; Dorman 2003: pp. 853-854), there was some public support and trust in the *Commission*. Zimbabweans were surveyed prior to the constitutional referendum and their opinions on both the *Commission* and the NCA initiative were sought. Notably, in the Mashonaland Central, East and Midlands provinces, those surveyed demonstrated higher degrees of trust for the *Commission* process than that of the NCA initiative (MPOI 2000: p.16 Table 25). However, overall, the Zimbabweans surveyed indicated that their level of trust in the NCA constitutional initiative was higher (43.3%) than that of the *Commission* (34.9%), with markedly higher support for the NCA's initiative in urban areas (*ibid*).

The members of the regime stated that the constitutional reform process would address the land issues, fully anticipating that the draft constitution would be adopted in the referendum (Matondi 2012: p. 20; Moorcraft 2011: p. 142). Of note, the *Commission's* report noted that only 30 percent of Zimbabweans supported acquisition without compensation (Shaw 2003: p. 80 citing *Commission* pp. 33, 149)<sup>13</sup>. However, the ZNLWVA protested the draft text developed by the *Commission*, and "...demanded that no compensation [for land] be paid. ZNLWVA's [Harare representative] Douglas Mahiya [said], 'We are saying the price of the land has been paid by the blood of the people who died during the war'" (Sadomba 2008: p. 180 citing *Daily News* 12 January 2000) and the ZNLWVA threatened to mobilise against the draft text in the referendum, i.e. to campaign for a 'No' vote (Sadomba 2008: p. 180). The NCA had refused to become part of the *Commission* itself, including due to the heavy presence of ZANU-PF members and allies on the *Commission*, lobbied against the draft constitutional text it produced, and campaigned for a 'No' vote in the referendum (Dorman 2003: pp. 849-854; Saunders 2000: pp. 98-100).

Mugabe amended the *Commission's* draft constitutional text to assign responsibility for the compensation of lost property rights solely to Britain (Boone and Kriger 2010: p. 181; Meredith 2002: pp. 164-165). The amendment reflected the demands of the war veterans, ZANU-PF's own liberation history and also Mugabe's (and ZANU-PF's) long standing commitment to this issue. It also reflected earlier 1997 public statement, cited above. The amendment was an incentive to rural voters (Chan 2003: p. 144), but one which also relieved the government of significant financial

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<sup>13</sup> As cited, Shaw (2003) states 30 percent of Zimbabweans did not support acquisition without compensation. Boone and Kriger (2010: p. 180 citing Shaw 2003) state fifteen percent.

responsibilities at a time of deepening economic problems. The message to Zimbabwe's commercial farmers (and to Britain) on compensation was clear.

The defeat of the draft constitution in the February 2000 referendum had institutional and political implications. Amongst other consequences, the referendum defeat meant that the existing institutional framework for land acquisition remained in effect – with its requirements for compensation, with its right to legal appeal from commercial farmers' whose land had been designated, and, with its consequences in terms of the regime's political support.

For the President and other members of the ZANU-PF regime, this defeat came just a few months before the June 2000 elections, where ZANU-PF would face, for the first time, the MDC (Raftopoulos and Quantin 2001: pp. 40-43). The referendum defeat altered future expectations regarding institutional outcomes, emboldening the MDC and its allies. It also generated greater uncertainty for the members of the ZANU-PF regime and its allies, including about the prospects for land and the consequences of political reform. Further the referendum campaign, had allowed the MDC (and the broader NCA) to present "alternative political messages" in the rural areas, ZANU-PF's traditional heartland of support (Raftopoulos and Quantin 2001: p. 43, author's own translation).

Both the NCA referendum campaign, and the MDC (as a party, during its campaign), provided opportunities for the democratic expression of the action-choice of 'voice' by Zimbabweans, including by white Zimbabwean members of the commercial farming sector. The increasing *probability* of forced exit was a factor that helped to initially incentivize voice by this community. Both the NCA and the MDC "...provided

new spaces for the involvement of white [Zimbabweans] in the political arena", while the "...land occupations and *their direct threat to private property rights certainly provided a strong impetus for their involvement*" (Pilosof 2013: p. 39 citing Selby 2006: p. 277).

The MDC's campaign promised new economic policies, proposals for political reform, pledges to reduce corruption and made more moderate proposals for land reform (Raftopoulos 2007: p. 125; Raftopoulos and Quantin 2001: p. 43). It rationally attracted support from the white business and commercial farming communities. ZANU-PF's campaigned on the slogan 'the land is the economy, the economy is the land' (Sachikonye 2003a: p. 233). This slogan effectively framed the campaign on the centrality of the land issue, while framing, through their causal narrative, the need for land acquisition as the *sine qua non* for economic growth and performance. Zimbabweans' economic dissatisfaction was therefore caused by the historical inequities of land ownership, than the implementation (or not) of ZANU-PF's own economic actions and policies. The slogan also aligned with several of the key themes of their patriotic narrative, i.e. sovereignty, race and land.

### **Fast-tracking land reform: mobilisation for a credible commitment**

The defeat of ZANU-PF's proposed constitution in the February 2000 referendum meant that the existing institutional framework for land acquisition continued, and the draft provisions that would permit compulsory acquisition without compensation, had been defeated. For members of the ZANU-PF regime, and many members of the war veterans association, this rejection, by Zimbabweans of the

regime's proposed constitutional reforms, "...[strengthened their] resolve to embark on an accelerated land reform programme" (Utete 2003: p. 16; Matondi 2012: p. 19). With the June 2000 elections looming, and with their political uncertainty, the war veterans wanted the political commitments made to them about land allocations, institutionalised in the *Constitution* (Marongwe 2003: p. 178). In other words, facing political uncertainty about land acquisition, the veterans' wanted institutional rules that would credibly commit future governments (regardless of party) to their promised, preferential access to land.

Taking strategic advantage of ZANU-PF's parliamentary majority, and in advance of the June 2000 elections, an amendment to the Zimbabwean *Constitution* was adopted in April 2000<sup>14</sup> to address the land question. Compulsory acquisition was now permitted and responsibility for payment for the land was assigned to the UK (Boone and Kriger 2010: p. 181). For some, this amendment provided some political "legitimacy to [the] actions" of the members of the ZANU-PF regime in the weeks prior to the June 2000 parliamentary elections (Matondi 2012: p. 33 citing Madhuku 2004). For others, the amendment was seen as undemocratic and/or in ZANU-PF's interests (Sachikonye 2003b: p. 37; Sachikonye 2011a: p. 108; UNDP 2008: p. 154). In 2001, Zimbabwe's Supreme Court ruled that this amended *Land Acquisition Act* (2000) was legal (Sachikonye 2003b: p. 40).

This sixteenth amendment to Zimbabwe's *Constitution* completed the legal transition from 'willing seller' (voluntary exit) to 'compulsory purchase' (forced exit) begun under the *Lancaster Constitution*. The acquisition process was simplified by

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<sup>14</sup> This constitutional reform was integrated into the *Land Acquisition Act* (2000) shortly thereafter.

reducing the transactions associated with the process of designation (Matondi 2012: p. 34). The members of the regime had re-written the rules, removing important financial and statutory obligations that had constrained land acquisition. The legal framework for the compulsory acquisition of land was now in place, and Zimbabwean-financed compensation for the land itself<sup>15</sup> prohibited. Mugabe's 1997 statement "...[we] are going to take the land and we are not going to pay for the soil" was now the legal reality (UNDP 2008: p. 154, citing *The Guardian* 15 October 1997). A more rapid and cost-effective means of addressing the demand for land (Matondi 2012: pp. 35, 39) was now permitted.

The power of initiative, created under the rules of the *Land Acquisition Act* (1992), together with the broader power of compulsion, were now deployed to create the new fast-track land reform programme ('fast-track'), launched in July 2000. Formally defined as "...the process of compulsorily acquiring land for resettlement purposes based on legal instruments and a set of administrative guidelines...." (Matondi 2012: p. 18), informally, the programme was characterized by *jambanja*, a Shona language word meaning "...'mayhem' or *causing violence to achieve a certain objective*" (Matondi 2012: p. xi emphasis added). In an often mutually reinforcing process, the occupations helped advance land acquisition through informal processes, and at times, targeted violence, that forced exit, while formal processes of compulsory acquisition, helped to legitimate or incentivize the occupations.

Once launched, the 'fast track' programme's scope and ambition grew, from an official target of compulsorily acquiring more than five million hectares of land. to new

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<sup>15</sup> compensation was still permitted for equipment and improvements made.

goals of 11 million hectares and the resettlement of 300,000 people and the development of a black-Zimbabwean commercial farming community of 51,000 (Utete 2003: p. 18; Sachikonye 2005: p. 33). By April 2002, just after the Presidential elections, over 5,000 commercial farms totalling 10 million hectares had been listed for acquisition (IRIN 2003b). The programme officially concluded in late 2002 although "Intermittent" land occupations and evictions of commercial farmers continued until mid-2005 (Sachikonye 2005: p. 33; Sachikonye 2003a: p. 227).

In May 2002, new amendments to the *Act* were adopted, again enabling faster evictions and acquisition (i.e. strengthening control over the *timing* of forced exit), and hardening the penalties for non-compliance (Zimbabwe 2002c; IRIN 2003b). In 2003, the *scope* of compulsory acquisition was broadened, through formal amendment to the *Act*, to include agricultural businesses that operated in the previously-excluded export processing zones (ICG 2004: p. 107).

From April 2000, with the approval of the new constitutional amendment, these new reforms, sought to publicly demonstrate to Zimbabweans, a reinforced ZANU-PF commitment to this long-standing political goal. As discussed, permissive reforms to the formal rules governing land acquisition clearly communicated an intention to act. This author argues that these institutional reforms, and the regime's support to the mobilisation of many of the farm occupations, were both examples of reinforcing their political credibility on a key commitment, so as to reduce their collective action challenge of the 'step-good' of the June 2000 elections. From the perspective of the 'State's Dilemma' and the regime's time-bound collective action dilemma, these permissive reforms may be explained as a means of increasing the "productivity of



tactics" (Lichbach 1995: pp. 51-54) needed to quickly address their collective action challenge.

It was in Zimbabwe's vote-rich, densely-populated communal areas that the credibility of the regime's commitment on land redistribution would be judged. For the regime, the challenge of altering expectations, and therefore choices, in this critical policy area, was both significant and critical, given the 'step-good' of the upcoming June 2000 elections. Analysing the 1999 *Afrobarometer* survey, as discussed above, revealed that nearly three-quarters of Zimbabweans surveyed had negative views of ZANU-PF's performance on the land issue. Twenty years of promising land redistribution and missing publicly announced targets (UNDP 2008: pp. 151-153; Sachikonye 2011a: pp. 109-112) created a credibility gap for the members of the regime, and therefore the challenge of demonstrating their commitment at this critical juncture.

Credibility and commitment can be established through both actions and signals of intent, as well as demonstrated through effect. When commercial farms situated in communities and areas where land had not previously been redistributed were publicly gazette, this gazetting provided reliable information that communicated *intent* to other actors. "From 2000 to 2002 the government was clearly on the offensive as it gazetted large-scale farms in the national press, ostensibly to *demonstrate the seriousness of its intention*" (Matondi 2012: p. 34, emphasis added).

Members of the regime and their allies also demonstrated *effect*, through the public and forced exit (evictions) of individual commercial farmers from their farms. These evictions were often scaled up and/or coordinated by members of the security

and/or intelligence services, working with war veterans and local officials (Alexander et al. 2001: p. 52; Alexander and McGregor 2001: p. 511; Chan 2003: p. 150). The wide geographic spread of the occupations, the mobilisation of many, and the rapid expansion of acquisition efforts demonstrated visible action and momentum across a significant number of rural constituencies. Over 1600 farms were occupied during 2000 (COHRE 2001: p. 27; UNDP 2008: p. 154). When the scale and scope of specific situations is altered, driven by "...particular occurrences or events" (e.g. new designations, new occupations), the issue will command attention on the public agenda (Solesbury 1976).

Public statements and communications are a means for principals to set out expectations for agents (e.g. the war veterans, youth militia), to enable the coordination of efforts, to build support, and to communicate future intent to other actors. They may be amplified relatively efficiently, factors that are particularly important in a decentralised, time-bound collective action problem such as the State's Dilemma. Despite early statements by the Minister of Home Affairs (February 2000) that the land occupiers would be evicted, President Mugabe quickly, and publicly, countered that message, encouraging further occupations, in turn generating additional momentum (Matondi 2012: p. 20; COHRE 2001: p. 28).

Signals of support, targeted non-enforcement and reduced penalties (or rewards) all encourage mobilisation.

"... [the] land occupiers from 2000 onwards *gained courage from* reading the signals of political leaders who directly supported them, or simply were indifferent to cases of forcible land takeovers. *Where previously land occupiers had risked beatings and property destruction through forced removals by officials of the courts and the*

*police, now they were left alone and at times even encouraged by politicians to stay on the farms"* (Matondi 2012: pp. 28-29 emphasis added).

This author's assertion of the need for ZANU-PF to demonstrate credible commitment in advance of the elections is shared by Matondi (2012:p. 21).and Marongwe (2003: p. 165), who argued that it became ZANU-PF's "...official campaigning strategy' for wooing voters in the June 2000 parliamentary elections". Matondi's (2012: pp. 78-80) analysis of voting patterns from the February 2000 referendum, and the results of the 2000, 2002 and 2005 elections in both Shambva and Mazowe districts, confirmed ZANU-PF's vote gains during the fast-track programme period. However, in both districts, the MDC made gains in the 29 March 2008 elections, as discussed in the synthesis section following this chapter.

Mobilisation is about the organised efforts to bring about change (Stone 2002: p. 217), and the literature on the farm occupations has debated the role of the members of ZANU-PF in supporting and organising the occupations. Chan and Primorac (2004: p. 71) argued that in this immediate post-referendum period, the occupations by war veterans were an "extemporized project" with support from members and allies of ZANU-PF. Their assertion is also supported by Rutherford (2009: p. 388) in his study of the Ufomi area of Zimbabwe. Sadomba's (2008: pp. 123-150) more detailed study of the war veterans reveals the internal organisational and coordination actions taken by groups of war veterans, in specific Zimbabwean districts, particularly during the early stages of the occupations. These actions included mobilising financial, logistical and

human resources, including through the use of selective incentives such as payments for cell phone use, the provision of food and/or the promise of land allocations.

A larger role for members of the regime and their allies in the *scaling up* of these occupations is evident. Scaling up the occupations was strategically advantageous to advancing the electoral prospects of ZANU-PF, for the scale-up provided evidence of visible action and commitment. Coordination was needed as the occupations involved not only multiple geographic locations but also multiple actors including the police, security agencies and the ZNLWVA. *Operation Tsuro*, occurred during the period of May to July 2000, i.e. in the weeks prior to and immediately after the parliamentary elections.

The details of *Operation Tsuro* support both the claims of active coordination and execution by members of the regime, as well as the participation of, and coordination with the war veterans. *Operation Tsuro* involved "... approximately 1,500 war veterans, 1,000 soldiers of the 5th Brigade, 300 [Central Intelligence Organisation] operatives, approximately 200 members of the police, and 5-6,000 ZANU-PF volunteers, including ZANU-PF youth members" (Chitiyo 2009: p. 4) with regular planning meetings held (Sachnikonye 2011b: p. 35 citing Chitiyo 2003; Chitiyo 2009: p. 3). Although the "...ground troops' consist[ed] of land-hungry peasants... led by war veterans"... the state "acted as the armorer" (Sachikonye 2011b: p. 35; Zimbabwe Human Rights NGO Forum 2001: p. 17), highlighting the different resources coordinated to advance the occupations.

The literature also debates whether land redistribution was the primary goal of the members of the regime. In this view, the 'fast track' land reform was simply a

"guise" to enable ZANU-PF to seize control of rural areas, establishing bases from which violence against farm-workers could be perpetrated (HR NGO Forum and the Justice for Agriculture 2007: p. 12; *Anatomy of Terror* 2011: p. 1). Cliffe *et al.* (2011: p. 914 citing Alexander 2006; Pilosof 2012: p. 49) discuss that the occupations, and their accompanying violence, served to punish the commercial farmers (and their farmworkers) who had supported the MDC in the referendum. The targeted political violence was a penalty (Sachikonye 2003b: p. 38) for the *past* expression of the action-choice of voice, (e.g. during the referendum campaign) and also served as a deterrent against *future* disloyalty (i.e. in the upcoming parliamentary elections). The message of deterrence would be particularly targeted to the farmworkers that represented such an important number of votes in rural Zimbabwe, particularly in the Mashonaland provinces.

The *Anatomy of Terror* report documents the establishment of multiple bases in the rural constituencies, although only 17 percent during the 2000 elections, and in the 2002 elections, 22 percent of the bases identified were located on commercial farms (*Anatomy of Terror* 2011: Appendix H, p. 3 Table 3). Other facilities and public buildings – and, notably in 2002, schools – were of greater importance than the commercial farms, as sites of the planning and execution of the campaigns of political violence and terror (*Anatomy of Terror* 2011: Appendix H, p. 3 Table 3). The *Report's* constituency annexes also describe the various interactions between both ZANU-PF and the war veterans and the contributions of each to the occupations, the bases, the violence and the terror.

This author concurs with Sachikonye that the violence in this period "...had a *dual role*...to seize land from 4,500 white farmers who owned about 11M ha in 2000, and to destroy the political base of the MDC amongst farm-workers..." (Sachikonye 2011b: p. 33 emphasis added; Sachikonye 2003b: p. 38). This approach links together ZANU-PF's patriotic narrative, land reform, and recognizes the centrality of the organised political violence (a penalty) to altering the electoral prospects of the MDC. For this author, the common denominator was the distributional advantage that arose from these intentional penalties. Support was retained or mobilised, their opponents' collective action problem was exacerbated, and an important economic asset, and a material benefit, had been obtained.

Zimbabweans' themselves attributed multiple objectives to the 'fast-track' programme. Public opinion data from 2003 confirms that there was public support on the importance of the land question to the Zimbabwean people. A majority of Zimbabweans surveyed, agreed (or strongly agreed) that *land redistribution* would address "...a colonial imbalance in the distribution of resources" (Sithole and Ruswa 2003: p. 21 Figure 22 emphasis in the original) and that "...land reform was, and is, necessary" (*ibid*: p. 16). Forty percent saw the land resettlement programme as empowering for Zimbabweans (*ibid*: p. 18 Figure 18). This support aligned with ZANU-PF's patriotic narrative which appealed to resolving this historical grievance and colonial legacy.

However, the same public opinion survey revealed Zimbabweans' support for the objective of land redistribution was also mitigated by significant skepticism about the 'fast-track' programme's rationale, beneficiaries and its likely results. A number of

the Zimbabweans viewed the ‘fast-track’ programme as a partisan political strategy rather than a genuine effort to redistribute land: 30 percent of the survey respondents indicated that the "major reason" for the exercise was a "vote winning strategy" (Sithole and Ruswa 2003: pp. 67, 17 Table 1) while others felt that “...the exercise was just a way to *punish the whites for their perceived support of the opposition*” (*ibid*: p. 16 emphasis added). A majority (57.9 percent) of those surveyed believed that the programme had "benefited top politicians and their cronies" while only 30.7 percent who felt it had benefited “...deserving majority” (*ibid*: p. 35 Figure 42).

This dissertation is focused on the collective action challenge faced by ZANU-PF. The issue of land redistribution was an important one – to their key constituencies, to the liberation struggle, and to their electoral prospects. The scaling-up of both the land seizures, and the occupations, were mutually reinforcing strategies that helped to mobilise political support through the delivery on a critical, stated political goal. The violence that accompanied the process both resulted from intentional actions and the allocation of resources (e.g. Operation Tsuru), the communication of the non-enforcement of formal rules, and served both to administer penalties to their opponents and to incentivize the achievement of their partisan goals. The next section of this chapter discusses the issues of rewards and penalties in more depth.

### **Rewards and Impunity**

This section of the chapter will now examine the use of land as a reward and incentive, and the use of impunity to reward many of those who participated in the

'fast-track' programme. While many Zimbabweans did benefit from the land re-settlement and acquisition processes, this section focuses on the role of the land acquisition and the impunity of the occupations in easing ZANU-PF's collective action challenge. These rewards, and this impunity, helped to ease the regime's collective action challenge, for inducements help to alter the choices and decisions of rational actors. By encouraging cooperation, selective incentives may directly contribute to mobilisation (Hardin 1982: pp. 17, 15; Lichbach 1995: p. 216) and to loyalty, i.e. a deferral of exit.

Boone and Kriger (2000) discuss the distribution of land as a resource for patronage and loyalty in the context of multiparty elections, including with specific reference to Zimbabwe and to its mobilising effects. Shaw also argues that the seized commercial farms became a new resource that could be offered as a material benefit (Shaw 2003: p. 77), while Sachikonye (2003a: p. 236 emphasis added) acknowledges:

” This material *imperative behind land reform may have been initially under-estimated because the political factor had loomed larger in the context of the 2000 and 2002 electoral contests*. It is, however, an imperative which has now become quite significant in economic and political terms. The *sharing of spoils* allows for 'instant accumulation' with state backing, and *beneficiaries are now more likely to be beholden to the ZANU-PF* than to an opposition movement advocating 'transparency' in the land reform process”

Sachikonye's acknowledgement speaks to both the element of material interests and gain ('sharing of spoils' and 'instant accumulation') that accrued directly, as well as to the electoral loyalty that was incentivized by this partisan distribution of a valuable resource.



The distribution of land as a material benefit to members of the ZANU-PF elite and to their supporters was not a new phenomenon, but the scale of the seizures in the period under study was unprecedented. In the mid-1990s, land seizures by the Zimbabwean elite had occurred (ICG 2004: pp. 49-50), and documented reports of the same<sup>16</sup> helped to fuel anger over both the corruption and the lack of progress on land redistribution (COHRE 2001: Annex 2 citing M. Dongo, 1999). Despite this earlier public anger, the land seizures were scaled-up under the 'fast-track' programme.

The re-allocation of farms was a clear incentive and an important material reward that helped to re-inforce loyalty amongst both members of the regime, including the leadership of the security sector (Matondi 2012: pp. 64, 240-41; Scoones *et.al.*: pp. 70-71). The 2003 *Buka* report (Government of Zimbabwe), which audited the elite land allocations under the 'fast-track' programme detailed the extent to which some had benefited from the farm reallocation process, with the ICG (2004: pp. 108-109) reporting that over 1000 members of the ZANU-PF elite had received farms. The *Anatomy of Terror* reports (2011) and Matondi's study (2012) provide greater detail of those who benefited within specific districts and constituencies. For example, in the constituency of Shamva South, the *Anatomy of Terror* states that three farms were taken by Police Commissioner Chihuri (2011: Shamva South Annex, p. 1), while Matondi (2012: pp. 70-71 Tables 3.4 and 3.5) provides a detailed breakdown of beneficiaries, including those within different elements of the regime (e.g. security, civil service) for Mazowe District.

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<sup>16</sup> The documenting of these land-grabs was particularly due to the efforts of Margaret Dongo, an independent member of parliament. A former war veteran and also a former member of ZANU-PF, she was "dropped" from the party following her public criticism of ZANU-PF leadership. She ran as an independent candidate, and following a court-ordered re-count, was elected to parliament (Sadomba 2008: pp. 73, 87-88).

The extent of these accumulated benefits was so widespread that President Mugabe ordered that "... ruling party officials with multiple farms to relinquish *all but one* within two weeks" (IRIN 2003a, emphasis added), a statement that confirmed the partisan right of regime members to acquire land through the land acquisition process. In 2007, the Reserve Bank Governor, himself a very senior member of the regime, provided official confirmation of the scope of this land patronage system:

"...[a]ll cabinet ministers, their deputies, senior officials of the ruling ZANU-PF party, and senior officers of the army, police and intelligence services *were allocated commercial farms that became available during the fast-track land reform programme...* As the new owners of commercial farms, the ruling elite were also accorded preferential loans ... low-priced fertiliser and heavily subsidised fuel..." (IRIN 2007 emphasis added).

Beyond these rewards to the ZANU-PF elite, the evidence as to the precise *extent* of land allocation to small-holder beneficiaries who were ZANU-PF supporters is less clear<sup>17</sup>. Many of the land occupiers (e.g. war veterans) were ZANU-PF supporters and also many "...card-carrying members of the ruling party got land" (Matondi 2012: p. 75 citing Marongwe 2003, Hammar *et al.* 2003 and Alexander 2006). In November 2002 it was announced that "...soldiers returning from the conflict in the Democratic Republic of the Congo [would also] get preferential treatment in land allocation" (IRIN 2003b; Boone and Kriger 2010: p. 183 citing Sachikonye 2003 and Selby 2006).

In June 2001, one year following the June 2000 parliamentary elections, the *Rural Land Occupiers (Protection from Eviction) Act* was enacted, with the stated

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<sup>17</sup> Figures of those resettled include 127,000 families were beneficiaries of the 'fast-track' programme under the small-holder farms model (Utete 2003: p. 24).

rationale of "...to protect land occupiers<sup>18</sup> on land not yet acquired by Government" (Utete 2003: p. 20, emphasis added). This *Act* provided *de facto* land rights (possession), i.e. a material benefit, to those individuals who were occupying land, "...in anticipation of being resettled", on the date the *Act* came into effect, and who were eligible for resettlement (Zimbabwe 2001a). Although Moyo (2001: p. 329) argues that the *Act* was an intentional effort to "legalise the process of the occupations", the *Act* clearly provided a significant material benefit to individuals, in advance of the legal process of acquisition. This new institutional rule, also, by providing a *legal* status to the occupiers, reinforced the irreversibility of the occupations – and reduced the future uncertainty about institutional alternatives in the economically and symbolically important agricultural sector for the members of the regime.

This material benefit of land was offered via the intentional development of a new prohibition, i.e. the denial of the court's jurisdiction in the matter of the land occupations. This *Act* eliminated the courts from the interactions between the governing regime and landowners, and therefore also eliminated, for members of the regime, the uncertainty and risk that the courts could (again) rule against them on the issue of the farm occupations. More specifically, the *Act* prohibited the courts from:

"... issu[ing] any order for the recovery of possession from a protected occupier of any rural land, or the ejectment therefrom of a protected occupier, or the payment of damages by such protected occupier in respect of the occupation or trespass of such land..." and it suspended any existing orders (Zimbabwe 2001a).

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<sup>18</sup> It is interesting to see the use of this term. The *Act's* definition of a "protected occupier" focuses on the physical presence of the individual rather than how (i.e. with political assistance or not) the individual came to be occupying the land. The inclusion of "protected" in the term, like the intentional enactment of the *Act* itself, however, clearly signals regime support for their occupation.

The application of partisan rather than technical land allocation criteria provided new opportunities to reward, or purchase, loyalty. As Matondi (2012) and Utete (2003) both document, members of the regime at central, sectoral, provincial and district levels often coordinated (or at times competed) to identify and/or allocate these farmlands. Sadomba (2008) and Matondi (2012) also both documented the role of the war veterans and/or other occupiers in accelerating the pace of land redistribution, including, for example, the assignment of specific roles in terms of identifying potential land sites and 'pegging' it for surveying and sub-division purposes, work that would have been done by public servants.

As discussed with reference to the material benefit of food aid, existing technical committees to allocate land were replaced, challenged and/or marginalised by new structures coordinated through the military and security actors within the regime, as well as by ministers and governors (Alexander 2003: pp. 104-114; Matondi 2012: pp. 57-61). Munemo (2012: pp. 88, 117-118) argued that the key variable in determining the partisan use of food aid programmes was the relative degree of political security felt by the ZANU-PF regime. In times of political insecurity, technical criteria were replaced by partisan criteria, and ZANU-PF personnel, rather than technocrats, increasingly were engaged in the allocation of the resource. Altering the decision-making fora, and the decision-makers is a means to ensure that loyalty considerations, and not just technical criteria, are taken into account. This author suggests that Munemo's argument may be a useful link to Boone and Kriger's (2010: p. 174) observation that land as a patronage resource has not been fully integrated into the analyses of multiparty elections in Africa. This dissertation's identification of the

reform of institutional rules (formal and informal) as an analytical means of assessing the allocation of this valuable resource, and the distributional consequences of the allocation may also be helpful.

Beyond land, another material benefit offered by members of the regime was the access to employment, as well as the incentive of impunity for the land-related violence and '*jambanja*'. In September 2000, the 'war veterans', in a strategic decision by the members of the regime, were integrated into the Zimbabwean national army as a reserve force, increasing both their power of action and their access to arms (HR NGO Forum 2001: pp. 18-19), as well as incentivizing continuing loyalty. Boone and Kriger (2010: p. 180 note 12 citing Guma 2009) state that 29,000 members of the youth militia were added to the public service. Material benefits such as employment help to incentivize collective action by "...inducing individuals to join in group cooperation..." (Hardin 1982: pp. 17, 15).

Again, amnesties to individual actors who had engaged in the political violence related to the occupations were offered as a reward that protected them from the consequences (penalties) of their actions. In October 2000, President Mugabe grant amnesties to those engaged in electoral-related violence (with the exception of cases of rape or murder). Given the partisan profile of the perpetrators of this violence, this amnesty was a decision that primarily benefited the war veterans and members of the youth militia (HR NGO Forum 2001: p. 18) and others who had been engaged in the violence and '*jambanja*' associated with the occupations.

This section examined the allocation of land as both a reward and incentive for loyalty. The allocation of land to elite and/or loyal members of the regime was

confirmed. Many other beneficiaries, these were often decided through the use of partisan rather than technical criteria. The use of partisan criteria to select actors was discussed, highlighting the similarity of these actions to the strategies used in the allocation of food aid. The reform of institutional rules, to regularize the land occupations through the *Rural Land Occupiers (Protection from Eviction) Act*, reduced the penalties associated with the illegal occupations ("for land not yet acquired") and provided a valuable reward to those that had participated in this visible *action*. This *Act* removed, for landowners whose farms were occupied, the action-choice of voice, through its explicit removal of the right to appeal through the judicial system. They were now in a situation of forced exit, and their avenues for 'voice' would now be outside of the judicial sphere.

### **The Farmworkers: Strategic Displacement and Partisan Gain**

This chapter has discussed the intentional reform of institutional rules to force 'exit' of the commercial farming community, via the restructuring of property rights and the mobilisation of supporters to (often violently) seize the land. Approximately two million people (including both farmworkers and their family members) lived and worked on the commercial farms, and were thus affected by the 'fast-track' land reforms (Hardnack 2006: p. 174 citing Rutherford 2001; Sachikonye 2003). Their situation, their displacement and the violence that they suffered received far less media coverage and attention than that of the white commercial farmers. Their forced displacement may be seen as both a penalty for disloyalty, imposed via targeted political violence, as

well as a strategy of voter suppression. The case of these farmworkers is a significant example of internal, forced displacement *within* Zimbabwe.

Many of these workers were specifically targeted for eviction, displacement and violence. Like other victims in rural Zimbabwe, many were targeted for their expression of voice. They were perceived to be either supportive of their (white) employers, the MDC opposition or both (ICG 2004: pp. 92-94; Hammar 2008: p. 425). Others were victims of the political violence that occurred in the context of the occupations. In a 2000 study, it was reported that MDC supporters were the largest group of farmworkers displaced or otherwise victims of political violence at 47.2 percent (HRW 2002: p. 19 citing Cheater 2001: p. 36). Few benefited from the land redistribution – only an estimated 6-8 percent of the recipients were farmworkers (Matondi 2012: pp. 67-68; McCandless 2011: p. 159 citing Scoones *et al.* 2010: p. 54 and Moyo *et al.* 2009: p. 32). During this period, the farmworkers lost both their livelihoods (HRW 2002: p. 33; Hardnack 2005) and many also lost access to the social services provided through farm schools, clinics etc. (Raftopoulos 2009: p. 216).

Displacement and its resulting impoverishment have important implications for collective action, as discussed earlier in this dissertation. The forced exit from the commercial farming sector included the displacement of hundreds of thousands of farmworkers and their family members (Sachikonye 2003a: p. 237). As with other instances of political violence, the occupations and *jambanja* which occurred displaced these farmworkers from their homes.

However, in a closed environment such as a commercial farm, where private lives, homes, livelihoods and relationships are all intertwined (Hardnack 2005), the

disruptions of these networks (e.g. family, union structures), via forced exit, is likely to particularly, and negatively, affect the prospects for successful collective dissent. The inter-connectivity, in one precise geographic location of these networks, whether a commercial farm (or a police camp) means that the loss of their "social system and the social networks", will profoundly "...undermine the relational foundation for voice" (Pfaff 2006: p. 149).

Physical displacement, especially on this scale, makes mobilisation by the MDC more difficult. Due to these losses, attention and energy turns to other concerns as farmworkers, for example seek new housing or other assets, jobs, health care or education. The MDC had benefited from the earlier mobilisation work undertaken by the GAPWUZ trade union (HR NGO Forum and JAG Trust 2007: p. 12; Rutherford 2009: p. 387-388). The immediate needs of their members (e.g. severance, housing) would occupy GAPWUZ, while the displacement and job losses would pose an organisational threat to GAPWUZ itself.

Forced displacement of these farmworkers may also be seen as a strategy of voter suppression. Facing the time-bound collective action challenge that is electoral success in specific rural ridings, displacing significant numbers of eligible voters, is a solution that contributes to easing the 'State's Dilemma'. Voter suppression is a strategy to prevent, or discourage, specific groups of voters from voting, in order to affect electoral outcomes. It is targeted against actual or perceived opponents. The size of the commercial farmworker community was sufficient to materially negatively impact the electoral outcomes in several districts of the ZANU-PF heartland, and thus posed a risk to the regime throughout the 2000 and 2002 electoral period (ICG 2004: p. 93 citing ICG correspondence April 2003).



This Chapter has discussed the strategic reform of rules to reduce the cost of exit, specifically the cost of compensation for the land acquired. However, one of the other financial and legal obligations removed, in order to help accelerate land acquisition, were the amendments to the 2002 *Labour Relations Act* (Zimbabwe 2002d). These amendments, were enacted within the time-frame of the 'fast-track' programme, and shifted the obligations related to the severance payments for the commercial farmworkers. The payment of severance was now the responsibility of the *former* landowners (e.g. a white commercial farmer) rather than to the *acquiring* landowners (Sachikonye 2003b: pp. 46-49; HRW 2002: p. 33). By reducing financial costs, this transfer of these financial obligations also helped to facilitate the rapid process of land redistribution. The amendments also generated uncertainty for the farmworkers, and/or imposed a financial penalty... These changes would have had important negative economic consequences for the farmworker community, including for the estimated 70 percent of farmworkers who lost their employment (HR NGO Forum and JAG Trust 2007: p. 29 citing Farm Community Trust of Zimbabwe 2003).

Given the numbers of farmworkers, and therefore their potential voting weight, it is not surprising that members of ZANU-PF, at both the physical and rhetorical levels, targeted the farmworkers. Farmworkers were classed as 'enemies' under ZANU-PF's patriotic narrative. "Guilty by association" they were targeted for having worked with the white farmers, being part of the trade union movement and/or supporting MDC. Through first displacement, violence and then revised citizenship laws, many were disenfranchised (Raftopoulos 2009: p. 217) following the 2000 elections, easing ZANU-PF's collective action for the electoral 'hurdles' ahead.

This Chapter has examined the dynamics of exit and voice within the commercial agriculture sector. Through an analysis of the institutional reforms that occurred, the chapter has demonstrated how the choice of voluntary exit was converted into the power to force exit. Institutional reforms and the powers and permissions that they furnished were a critical enabler of the 'fast-track' land reform programme. In advance of the June 2000 parliamentary elections, and later the 2002 presidential elections, ZANU-PF needed to reduce Zimbabweans' scepticism about their commitment to this long-standing political goal. The land occupations, and the acquisition of the commercial farms were actions that helped to demonstrate commitment to this goal, including to their core rural constituency. Scaling up in number, geographic scope and frequency, all helped to reinforce their credibility on this issue.

The interactions between these two processes – reforms to the institutional rules and the farm occupations – are important, for each helped to enable the other. The land acquired, in part, became an important patronage resource for the senior members of the ZANU-PF regime (Boone and Kriger 2010). Not only did many personally benefit from access to land as a reward or incentive, many of ZANU-PF's supporters, including members of security services, also benefited. The literature on the role of war veterans' reveals them to be both actors and beneficiaries. Farmworkers and commercial farmers were, as discussed, often targeted and penalized for their expression of voice. This chapter, has highlighted how, in the face of forced exit, voice became the only choice, as Hirschman (1970) foresaw in his theory of the dynamics of exit and voice.

The chapter also discussed how the 'fast-track' programme was enabled by the reduction in the costs of exit. The assignment, to the UK, of the costs of land compensation, greatly reduced the costs of forcing exit, while functionally relieving a significant budgetary pressure as well. The powers to aggregate also helped to accelerate the pace of acquisition. Picking up on the discussion of incentives from the previous chapter, the issue of rewards (including impunity) and penalties was also considered within this sector. Examples of the strategic deployment of rewards, material benefits and penalties were provided. These helped to align decisions and choices with ZANU-PF's priorities.

Together, the institutional reforms that transferred control of the exit option, the political violence and the occupations, and the acquisition of land, contributed to ZANU-PF's much needed mobilisation – helping to resolve the 'State's Dilemma'.

## **Synthesis: The elections of 29 March 2008**

The preceding three chapters have examined the use of strategic institutional reform that altered the dynamics of exit and voice in Zimbabwe during the 2002 to 2008 period. This dissertation has demonstrated how the use of voice was suppressed through reforms to the rules governing the media sector, and via rules that restricted the freedoms of expression, association, assembly and movement; how loyalty to the governing regime was reinforced through the use of selective incentives such as partisan food aid distribution, impunity and protection from political violence; how exit was forced, in the commercial farming sector. It has demonstrated that institutional reform mattered to outcomes, and it has revealed how ZANU-PF's 'patriotic narrative' was underpinned by strategic institutional reforms.

The dynamics of exit, voice and loyalty held throughout the various rounds of elections during the period under discussion as, indeed, the members of the governing regime succeeded in retaining political power through electoral victory. How then to explain the results of the March 29th, 2008 elections, with its significant shift to the political opposition? Did the dynamics of exit, voice and loyalty change, and if so, did institutional reform play a part?

Before turning to this discussion, a brief overview on the parliamentary and presidential election results themselves. Table 1 summarizes the official national-level results for those parliamentary and presidential elections held during the period from 2000 to 2008. It is important to note that these are the "official", publicly announced results. Many analysts (e.g. Chan 2011: pp. 140-146) and indeed the MDC itself (MDC 2005b) reported vote-rigging, leading to the conclusion that while the results

may be "official" they are also unlikely to be accurate. Following the lengthy delay in announcing the results of the presidential election, a run-off election for the Executive Presidency was required. The Zimbabwe Electoral Commission (ZEC) had announced that neither President Mugabe nor the MDC's Morgan Tsvangirai had obtained the '50 percent+1' of the votes needed to cross the mandatory 'step' of electoral victory to the post of Executive President (Table 1; Moorcraft 2011: p. 151).

In the parliamentary elections, the members of the ZANU-PF regime faced new uncertainties, for they had not only lost their parliamentary majority, but they had lost the two-thirds parliamentary majority that had allowed them to both alter the constitution and to block proposals for constitutional reform (Masunungure 2009b: p. 77). As discussed earlier, they faced two types of uncertainty, the first about the future consequences of their present institutional choices, and the second, about the future institutional alternatives available (Knight 1992: p. 45). In the House of Assembly, ZANU-PF won only 99 of the 210 seats (47 percent) against the 52 percent of the seats won by both factions of the MDC (Table 1; Masunungure 2009b: pp. 76-77). In the Senate, ZANU-PF won only 30 seats, a decline of 13 seats, while the MDC-T faction won 24 seats<sup>19</sup> and the MDC-M faction won 6 seats (Table 1).

The breadth of the MDC-T's electoral gains was notable, with implications for the legitimacy of ZANU-PF and President Mugabe. The MDC-T succeeded in all provinces, and in both rural and urban areas (Masunungure 2009b: p. 76), although in many rural constituencies their margin of victory was slim (ZPP 2008a: pp. 12-14).

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<sup>19</sup> The Senate was created in 2005. It provided additional patronage opportunities for ZANU-PF (Raftopoulos 2007: p. 137), and exacerbated divisions within the MDC regarding their strategies to respond to the electoral climate (Raftopoulos 2007: pp. 137-139; Masunungure 2009b: p. 63 note 4). Morgan Tsvangirai called for the November 2005 Senate elections to be boycotted (Chiroro 2005: p. 8).

Although the MDC candidate for the Presidency, Morgan Tsvangirai, had officially failed to reach the 'step' result of '50 percent +1' of the votes cast, his result, when combined with that of the independent candidate, Simba Makoni<sup>20</sup> (8.31 percent), formerly of ZANU-PF, meant that the two challengers together had received support that exceeded the 50 percent +1 'step' – the first time in Zimbabwe's history that this had occurred.

The scale of these results was a shock for the ZANU-PF leadership. Their earlier assertions of popular support were now negated by the choices of Zimbabweans. For the first time since independence, a majority of voters had handed ZANU-PF a non-majority result. They had provided the political opposition with majorities and a nation-wide mandate in the parliamentary vote. Zimbabweans' desire for change in the Presidency was also publicly revealed in that over 50 percent of the votes cast went to opposition candidates. These results not only had immediate impacts for their legitimacy, but also challenged their self-defined sense of democracy, i.e. the achievement of majority rule.

With a second round run-off election required, the rules for this next 'hurdle' were clear: the *Electoral Act* required that this run-off be held within 21 days. The rules were ignored, and the Minister of Justice announced that the *Act* had been "overly-optimistic" and the run-off was thus scheduled for 90 days after the already lengthy 32 days delay in the announcement of the results (Matyszak 2009: pp. 49-53,

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<sup>20</sup> Makoni was a former Minister of Finance, a senior ZANU-PF official and a former Executive Secretary of SADC. He ran for the Executive Presidency as an independent candidate, campaigning on his economic record. His candidacy reflected tensions within ZANU-PF regarding leadership succession (Masunungure 2009b: pp. 66-67), and helped to split the ZANU-PF vote (Raftopoulos 2013: p. 11). His candidacy was supported by the MDC faction led by Arthur Mutambara, who while declining to run for the presidency himself, backed Makoni rather than MDC-T candidate, Morgan Tsvangirai (Masunungure 2009b: p. 67).

75). Facing a 'time-bound' collective action challenge, they delayed. The run-off was scheduled for 27 June 2008. The delays were strategic actions that "bought time" (Tarisayi 2009: p. 21), allowing the members of the regime to coordinate in order to resolve their collective action dilemma.

The threat was clear: as one member of the regime remarked of the run-off election, "We're giving the people of Zimbabwe another opportunity to mend their ways, *to vote properly*... this is their last chance" (Bratton and Masunungure 2008: p. 44 citing New York Times 09 May 2008, emphasis added). As discussed earlier, Tsvangirai withdrew from the run-off on 22 June 2008, citing the extraordinary levels of "retributive" violence unleashed against his supporters (Tsvangirai 2008b). The results of the June 27<sup>th</sup> run-off, held despite his withdrawal, were "condemned" by SADC, the United Nations Security Council, the European Union amongst other international actors. And they were condemned by many Zimbabweans themselves. So what happened, in terms of the dynamics of exit and voice, and what was the role of strategic institutional reform, that led to these historic results?

## **SADC Engages**

Throughout the crisis, Zimbabwe's neighbours had been muted in their criticism, and often silent on the scale of the political violence that was occurring (Raftopoulos 2013: p. 6). As discussed, ZANU-PF's 'patriotic narrative' framed the crisis around the shared concerns of liberation, sovereignty, land and identity. With several of the SADC states now governed by former liberation movements, and with

long-shared histories of struggle and support these neighbours had been the key external allies for the Zimbabwean regime. Their support, anchored in shared histories (and long relationships) built up during their respective liberation struggles, as well as the fight against apartheid, created a reluctance to criticize 'friends' (Becker 2013: pp. 262-263). Shared norms about sovereignty, concerns about external/Western influence on African politics (Clapham 1996; Raftopoulos 2013: p. 6) were complemented by more immediate domestic political considerations (e.g. Zimbabwean immigration, land ownership). They also contributed to perceptions, on the part of the MDC, that ZANU-PF was favoured, particularly by South African President Thabo Mbeki (Raftopoulos 2013: p. 6; Becker 2013: p. 6).

Despite strong calls for increased SADC censure of the Zimbabwean leadership, Thabo Mbeki's strategy of 'quiet diplomacy' meant that there had been few public critiques of the political violence and economic decline that was occurring (Bratton 2014: p. 88). With the Zimbabwean crisis deepening, neighbouring countries feeling its increasing effects (e.g. increased immigration, adverse economic impacts), and international attention again turning to Zimbabwe's situation, SADC leaders, in March 2007, announced formal mediation efforts focused on improving the electoral climate and processes prior to the 2008 elections (Raftopoulos 2013: p. 9; SPT 2008a: p. 8; HR NGO Forum 2008a: p. 4).

SADC's mediation was an opportunity to add the political weight of the region (i.e. ZANU-PF's external allies) to efforts to reform the institutional rules governing elections in Zimbabwe (Lichbach 1995: pp. 189-191). For the members of the ZANU-PF regime this mediation process, offered the potential opportunity to prolong their



hold on power, particularly due to changes in the succession rules for the sitting President (SPT 2008a: p. 8). Through SADC mediation, a constitutional amendment (the 18<sup>th</sup>) was negotiated between ZANU-PF and the two MDC factions. This amendment introduced new rules to address the issue of succession to the presidency in situations such as the resignation or death of the incumbent, rules that advantaged ZANU-PF (in the near-term) by allowing the new president to be chosen by the members of parliament rather than through new general elections (SPT 2008a: p. 10; Raftopoulos 2013: pp. 9-10). Further reforms to the structure of Parliament were made, with an expansion of the membership of both the House of Assembly and the Senate (Zimbabwe 2007). The election calendar was also 'harmonized' i.e. the local (e.g. rural and city councils), parliamentary (Senate and House of Assembly) and the presidential vote would all be held on the same day.

Finally, the mediation effort also resulted in the 2004 *SADC Principles and Guidelines Governing Democratic Elections* (SADC 2004), (adopted by SADC member-states, including Zimbabwe), becoming the normative basis for reforming Zimbabwe's electoral rules and processes (Badza 2009: p. 152). Reforms to the *Electoral Act* reinforced the civil and political rights of Zimbabwean citizens, as well as the rights of political parties to freely contest the elections, including through the media (Masunungure 2009a: p. 7). The mediation efforts did not, however, successfully conclude negotiations for a new constitution, nor reach agreement on dates for the planned election (SPT 2008a: p. 11; Raftopoulos 2013: p.10).

Following the March 29<sup>th</sup> elections, the delays in releasing official results from the presidential vote, as well as the rapid escalation in political violence that occurred

(Masunungure 2009c; SPT 2008b), led some SADC member states (i.e. Zambia, Botswana) to become openly more critical of the ZANU-PF regime (SPT 2008a: pp. 16-17).

## Voice

From mid-2007 onwards, several factors combined to create greater *pressure* to express voice and, also to create *openings* for voice to be expressed (e.g. via reforms to the *Access to Information and Privacy Act* and the *Public Order and Security Act*). This section shall briefly discuss the same.

By 2007, the economic crisis in Zimbabwe was worsening. Significant numbers of Zimbabweans had already exited Zimbabwe, driven out by the collapsing economy, and more were following (see 'exit' below). The vast majority of these emigrants were settling in neighbouring SADC states, notably South Africa, Botswana and Zambia (IOM 2010: p. 37 citing Kiwanuka and Monson 2009).

By early 2008, Zimbabwe was also in the midst of hyper-inflation, with prices doubling nearly daily (Tarisayi 2009: p. 12 and Table 1 citing Hanke 5 Feb 2009). More than 80 percent of the population was living below the poverty line and approximately four million people were facing serious food shortages (Tarisayi 2009: p. 12 citing ICG May 2008). Mass emigration, the collapse of basic services, high levels of unemployment as well as drought, meant increasing vulnerability for most (Tarisayi 2009: pp. 16-20). Economic and political crises, and the severity of the HIV/AIDS pandemics, meant that life expectancy had dropped to 42 years (Bratton 2014: p. 85 citing World Bank 2009). “When they compared their personal circumstances to

those of their parents 10 years previously, Zimbabweans perceived greater declines than did residents of any other African country” (Bratton 2014: p. 85).

These worsening economic conditions would be a source of uncertainty about their future, as Pfaff (2006: pp. 27-28) discussed with reference to East Germany. Economic concerns would be more central to their daily lives, and therefore also to the election campaign. Zimbabweans were angry about their economy, and contrasted it to the wealth that surrounded the members of the ZANU-PF elite, some of which would have been received as rewards for loyalty (e.g. preferential access to foreign exchange, land) (Bratton and Masunungure 2008: pp. 46-47; Bratton 2014: p. 86). The President announced price cuts, but this worsened the shortages in the months leading to the March elections (Tarisayi 2009: p. 16; Bratton 2014: pp. 83-85).

ZANU-PF's demonstrated weakness in addressing the economic crisis would alter the prospects of MDC success, as the crisis was a demonstrated signal of weakness to the population (Lichbach 1995: p. 68). ZANU-PF's patriotic narrative and slogans that spoke of the centrality of land to the economy had lost some of their power: the land had been re-distributed but the economy was declining. Although many had benefited from the land re-distribution, their number was dwarfed by the vast majority of the population that was suffering from the economic crisis. The MDC was actively campaigning for a "people-centred economy" and for the rebuilding of Zimbabwe's social services (Masunungure 2009b: p. 66).

The dynamics of voluntary versus forced exit, and of voice, have been previously discussed. However, by 2008, Zimbabwe had lots a significant proportion

of its population, including those of working age. The demographic implications of this outward migration for collection action were discussed in chapter two. The action-choice of voice, as a residual of exit, was also discussed.

For many of those who remained in Zimbabwe, voluntary exit was a diminishing prospect, as the economic losses mounted and/or as age, illness, or family obligations meant that exit was not a viable option. In this context, increasing, and widespread, economic dissatisfaction would become a *source* of voice (Pfaff 2006: p. 28 citing Lindenberg 1991; Hirschman 1970: p. 34). As Pfaff discussed, those remaining would be incentivised to speak out in order to avoid further, future losses (2006: p. 145).

Also discussed was the importance of institutional arrangements that would allow 'voice' to be communicated "...cheaply and effectively" (Hirschman 1970: p. 43). When voters can vote with a sense of personal security and confidence in the electoral system, elections are, from the perspective of resolving the 'Rebel's Dilemma' a useful coordination mechanism. The national elections machinery greatly reduces the coordination challenges and costs for the opposition, by providing a ready infrastructure from which voice could be aggregated. Lower costs, for example, in terms of enhanced personal security, would also encourage participation by other actors (Lichbach 1995: p. 39).

This dissertation has also discussed the 'State's Dilemma' and the very specific challenge ZANU-PF faced through their dependency on the choices (votes) of Zimbabweans on election day. The manipulation of the voter's register and ward

boundaries (HRW 2005a; Makumbe 2009), may contribute to resolving the 'State's Dilemma' through the suppression of 'voice', and therefore of votes. However, the institutional rules of an election, are based on the valid votes cast – and despite all of their flaws (Makumbe 2009), the institutional rules of the March 29th election still provided the *mechanism* for the action-choice of 'voice' to be communicated.

By March 2008, through the 'hurdles' of the earlier elections, Zimbabweans had seen the opposition make gains, and also suffer losses; many had benefited (or not) from the inducements offered by ZANU-PF, and many had also suffered the political violence and displacement that had also accompanied elections during this period. After all of these problems with voting in earlier national-level elections during this case-study period, did Zimbabweans see the vote as the institutional mechanism to communicate their voice? A public opinion survey, from the first half of 2007, asked Zimbabweans about their voting motivations. This study found that 36 percent were motivated to vote by "a desire for change" while a further 15 percent were motivated by "promises of a better life" (Masunungure et al. 2007: p. 5). Amongst MDC supporters, those motivated by a desire for change rose to 60 percent (only 20 percent for ZANU-PF supporters) when this data was further analysed based on political party sympathies (Masunungure et al. 2007: p. 5 Table 1). As one Zimbabwean said when asked about his voting intentions:

"I am going to vote. *My vote may make the difference.* I just hope that all the people who registered to vote will go and vote. We need change of leadership in this country. Life has become unbearable" (Ndapwadza and Muchena 2009: p. 36 citing *Zimbabwe Independent* 29 February - 6 March 2008, emphasis added).

This statement by a single Zimbabwe: 'I am going to vote. My vote may make the difference...[to changing] leadership in this country' is an example of "collective voice", i.e. actions where "...the intention of the individual in acting is *to contribute to* the desired effect through that action" (Dowding *et. al.* 2000: p. 473, emphasis added). His statement also speaks to the economic challenges and concerns raised earlier.

Other public opinion polling in January and February 2008, that is in the weeks leading up to the March elections, found high levels of intention to vote on the part of Zimbabweans. Voter turn-out in March 2008 was more than double that of the 2005 elections (Ndapwadza and Muchena 2009: pp. 30-31 citing Zimbabwe Electoral Supervisory Commission). Zimbabweans' confidence in the March elections grew in the final weeks up to the election, with more than 50 percent of those surveyed, in both February and March 2008, indicating that they felt that the elections would be 'free and fair' and, importantly, over 90 percent of those surveyed believed that their vote would be secret (Ndapwadza and Muchena 2009: pp. 31-33).

If scale of economic decline in Zimbabwe became the *source* of voice for those unable to exit, and voting in the election of March 29<sup>th</sup>, 2008, the institutional *mechanism* by which this voice could be expressed, other institutional reforms, each of limited weight and scope, contributed to reducing the cost of expressing 'voice'. While many civic actors and other analysts have argued that these reforms did not meet the threshold that would allow for a 'level playing field' and thus for the elections to be genuinely 'free and fair' (HR NGO Forum 2008a; Moyse 2009; Makumbe 2009), *the reduction in the cost of expressing the action-choice of 'voice'* is a related, but separate,

benchmark. Lower costs should, in situations of no exit, encourage participation (Hirschman 1970: p. 123; Lichbach 1995: p. 42).

This dissertation has, in chapter three, also discussed the four freedoms that are institutional rules underpinning the expression of the action-choice of 'voice'. Amongst the "small but important" reforms (Raftopoulos 2013: p. 11) made for the March 2008 elections, were those in the areas of freedom of movement and of association. Both of these freedoms improved prior to the March 29<sup>th</sup> elections (EISA 2008), although specific violations, in significant number, still continued (Chart 1; HR NGO Forum 2008b and 2008c). Rural areas that had been former 'no-go' zones, had again become accessible to the opposition (Masunungure 2009b: p. 73), facilitating mobilisation by the MDC.

Although overall levels of political violence in late 2007 were higher than those reported for the 2005 elections, public opinion polling from January 2008 reported that 85 percent of those Zimbabweans surveyed had "not witnessed any political violence since October 2007" and that, even compared to the pre-electoral period in 2005, those surveyed still reported a "reduction in cases of political violence" (Ndapwadza and Muchena 2009: p. 33). "This relative calm, established in the context of the SADC mediation, allowed the opposition forces to mobilise in the rural areas *in a way that had not been possible since the 2000 general election*" (SPT 2008a: p. 11 emphasis added).

Freedom of expression also eased, as evidenced by a decline in the number of violations recorded by the Zimbabwe Human Rights NGO Forum in this area (Chart 1; HR NGO Forum 2008d: pp. 16-18 Table 2). However, significant constraints remained

in the media sector, despite SADC's active mediation to ease the rules governing this sector. The results in the media allocations confirm that ZANU-PF was not prepared to lose their distributional advantage completely, but it did allow its margin to be reduced. The Media Monitoring Project of Zimbabwe (MMPZ) reported that the two MDC factions had some increased access to state-controlled media, allowing greater communication of their information to Zimbabweans (MMPZ 2009a: p. 9).

The accreditation requirements of AIPPA were amended (Zimbabwe 2007c), following SADC's mediation, creating easing slightly the prohibitions required to practice journalism in Zimbabwe. Although these amendments created new opportunities (on paper) for both local and foreign journalists to communicate information to Zimbabweans, in practice, these restrictions continued to be applied and, in keeping with ZANU-PF's stated positions, international media continued to be denied entry into Zimbabwe (CPJ 2009).

Moyo (2009: p. 557) argues (in the context of the 2008 presidential run-off) that there was a rise in "citizen journalism" that was able to capture local events and disseminate information on the same, including in zones where professional journalists were unable to travel, contributing to a broader availability of the news. These 'citizen journalists' were also likely to have been active in the March electoral period as well (although Moyo does not directly address this), perhaps encouraged and/or enabled by the limited expansion of freedoms of expression, assembly and association noted above. Their efforts would have contributed to an increased availability of information, although the scale cannot be confirmed.



Also pertinent to this discussion about reducing the cost of voice, is the question of the political violence that was occurring – and occurring at rates higher than the 2005 electoral period (Chart 2; HR NGO Forum 2008d: pp. 16-18 Table 2). Although, there was more visible freedoms of movement, assembly and association that allowed the MDC to campaign more easily, members and supporters of the political opposition were still targeted in this pre-election violence (SPT 2008a: p. 39). It is, from the perspective of the *dynamics of voice*, that this more open mobilisation efforts by the MDC, sent signals to "information-starved" Zimbabweans (MMPZ 2009b: p. 7) that the cost of expressing voice (i.e. political violence) was reducing.

Zimbabweans continued to experience information problems, and as discussed, the problems of availability and reliability are important to strategic decision-making. The MMPZ (2009b) documented the bias in the media coverage, specifically how *little* of the political violence was actually covered in the media, and relative to the scale of what was occurring. For example, between the period 01 January to 31 March 2008, the MMPZ recorded 112 incidents of political violence, of which only 19 percent appeared in the official or public press, and *only five stories* appeared on the ZBC, the media outlet with the widest reach in Zimbabwe (MMPZ 2009b: p. 7, emphasis added).

MMPZ contrasts this very limited coverage with the 2,049 incidents of human rights abuses through political violence that were recorded by the Zimbabwe Human Rights NGO Forum during this same period (2009b: p. 7 citing HR NGO Forum June 2008)<sup>21</sup>. MMPZ asserts that "...the government-controlled media continued to present

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<sup>21</sup> Individual incidents may include more than one human rights abuse (e.g. false arrest, torture and assault) and individual media reports may include more than one incident. There is not therefore a 1:1 comparison between these two datasets. Nevertheless the order of magnitude, in terms of the under-reporting of political violence is clear.

the impression that peace prevailed in the country" (MMPZ 2009b: p. 9) and the public media "...passively quoted officials calling for a peaceful campaign, or report[ed] the police pledging to maintain peace" (MMPZ 2009b: p. 10). As discussed, these differences reflected some of the polarisation that existed between the public and private media.

Economic decline would have exacerbated the information problems faced by Zimbabweans. Given Zimbabwe's impoverishing hyper-inflation, and the high levels of the population living in poverty, newspapers and radios would have become 'luxury' goods. Earlier data from 2004 confirmed that media consumption had already dropped significantly, with drops of one-third in radio listenership (to 41 percent of the population), and a drop of "half" of newspaper readership (to 12 percent) by 2004 (Bratton, Chikwana and Sithole 2005: p. 101; MMPZ 2009b: p. 40). The problems of incomplete information can cut both ways – they may facilitate solutions to the 'State's Dilemma', but perhaps, when combined with new sources of dissatisfaction, and with evidence of new openings for voice to be expressed (e.g. fewer 'no-go' zones), it may also serve to encourage the mobilisation that helps to overcome the 'Rebel's Dilemma' (Lichbach 1995: pp. 95-96).

## **Loyalty**

This dissertation defined the action-choice of loyalty as "...[postponing exit] in spite of dissatisfaction and qualms" (Hirschman 1970: p. 104). By 2008, for all but a very select few, the "returns to electoral loyalty" were decreasing. Over 80 percent of

the population now lived below the poverty line, and approximately four million people were facing serious food shortages (Tarisayi 2009: p. 12 citing ICG May 2008).

Poverty had deepened in rural areas (UNDP 2008: p. 18). The Zimbabwean population was as a whole, poorer than it was in the electoral years of 2000, 2002 or 2005, with real average earnings lower than those in the mid-to-late 1970s during the UDI period (*ibid*). Nationally, Zimbabwe's GDP had *declined* at an average rate of 5.9 percent p.a. between 2005 and 2007 (UNDP 2008: p. 11 citing Central Statistics Office). These points underscore the weakening of the asset base from which contributions or 'sacrifice' could be drawn:-

Material benefits and other incentives (e.g. protection from political violence) for continued loyalty remained available. However, their impact, when weighed against the hyper-inflation and the magnitude of Zimbabwe's economic crisis, would be less significant than in earlier years – although undoubtedly still welcomed by those who received them. The partisan distribution of food aid to ZANU-PF supporters continued (ZPP 2008c). Salary increments were offered as incentives for voter loyalty to some of Zimbabwe's remaining public servants (Masunungure 2009b: p. 68; Tarisayi 2009: p. 20; HR NGO Forum 2008a: p. 9). For example, Zimbabwe's soldiers received significant pay raises in February, the month prior to the elections, with the Zimbabwe Human Rights NGO Forum asserting "...these salary increases were clearly intended as bribes to try to ensure the loyalty of soldiers to the Mugabe government" (HR NGO Forum 2008a: p. 7). However, with Zimbabwe's shrinking economy and declining revenues (UNDP 2008: p. 25), the resources available to help secure electoral loyalty were also limited.

Senior officials of the police and security forces made public statements of loyalty, prior to the March elections that both confirmed their allegiance to ZANU-PF and made clear their intentions to disregard a MDC-T election win (Masunungure 2009b: pp. 65, 70-72). However, partisan policing decreased somewhat, with the Zimbabwe Republic Police (ZRP) officially adopting a policy of "zero tolerance" and calling for a "violence-free election" (Masunungure 2009b: p. 71). In other words, signals to *respect, rather than to violate* the institutional rules governing policing were publicly communicated. Further, despite the public declarations of loyalty by the senior officials, there was no "...institutionalised insistence on who [the rank and file should] support" (Masunungure 2009b: p. 73), therefore permitting greater 'free-riding' or choice by rank and file members, if they so chose.

The action-choice of loyalty is about 'postponing exit'. Many had stayed loyal to ZANU-PF out of conviction, satisfaction and/or as a result of the inducements (incentives and penalties) deployed. However, recall the earlier polling data, from the late 1990s, that had already shown a high level of economic dissatisfaction with the performance of the government. As discussed immediately above, the economic situation had seriously worsened in the intervening years. The 'State's Dilemma' is about the challenge of retaining support when the interests of supporters lie elsewhere (Lichbach 1995: pp. 265-268). By 2008, the depth of the economic crisis certainly suggests that support for the *status quo* would be weak. There simply may not have been sufficient, good reasons for Zimbabweans to defer their 'electoral exit' from ZANU-PF any longer.

## Exit

By early 2008, a very significant percentage of Zimbabweans had left the country, although exact numbers are not known, including due to both illegal crossings, false declarations of the reasons for entry to neighbouring states and patterns of circular migration (Potts 2010: pp. 9-10; IOM 2009: pp. 35-42). The International Organisation for Migration (IOM) estimated 1.5 million Zimbabweans were in South Africa alone (IOM 2009: p. 37), against Zimbabwe's 2002 population of 11.6 million (IOM 2009: p. 24 Table 2 citing Central Statistics Office 2004).

The regime's strategy of forced exit in the commercial agriculture sector had already largely run its course, and the forced displacement of *Operation Murambatsvina* (2005) had occurred, although the consequences for individuals, families and communities remained (SPT 2010). Smaller-scale incidents of forced displacement for continued (HR NGO Forum 2008d: pp. 16-18 Table 2).

While forced displacement was, in the Zimbabwean context, often impoverishing, voluntary emigration was a rational response to Zimbabweans' increasing dissatisfaction with the public goods offered by the members of the governing regime (Herbst 1990: p. 186; Lichbach 1995: p. 106; Pfaff 2006; Hirschman 1978: pp. 94-95). Emigration in the early years of the crisis (2002-2005) was often motivated by political concerns (Makina 2010: p. 229) and thus, voluntary exit was either a means of "conflict avoidance or resolution" for many Zimbabweans and/or a clear expression of interest in the capacity of other states (e.g. South Africa) to be an

"alternative supplier" of the public goods (Hirschman 1978: pp. 94-95; Pfaff 2006 particularly chapter 9; Lichbach 1995: p. 106).

For those who remained, while emigration may have provided some material assistance via the transfer of remittances<sup>22</sup>, or the knowledge (hope) that family members were safe, mass emigration also created new threats (or vulnerabilities) (Pfaff 2006: p.138). These would cause Zimbabweans to re-examine their options and also their choices. There was an exodus of Zimbabwe's professionals, particularly teachers and trained health sector workers. This exodus significantly contributed to the collapse of the basic social services upon which Zimbabweans depended (IOM 2009: pp. 71-72; UNDP 2008: p. 110-111, Table 7.5). The consequences of this mass emigration, from these professions, and from the country, were clear to those individual Zimbabweans remaining. For many, their interests were directly threatened by the scale of the emigration (Pfaff 2006: pp. 138-139). To provide a sense of the scale, 40,000 teachers were estimated to have left the profession after 2007 and most schools did not open in early 2008 (Tarisayi 2009: p. 19 citing Progressive Teachers Union of Zimbabwe), while health sector staffing vacancies doubled in 2008 (Tarisayi 2009: p. 20).

By 2008, economic rather than political factors were the primary motivation for the accelerating emigration (Makina 2010: p. 229). In the early years of this case study, ZANU-PF leaders appeared to welcome the voluntary exit: "[w]e would be better off with only six million people, with our own people who support the liberation

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<sup>22</sup> For each Zimbabwean sending home remittances from South Africa, it was estimated that five Zimbabweans depending on these transfers (Crush and Tevera 2010 p. 3). The exact value of remittances in Zimbabwe is unknown (UNDP 2008: p. 112), however Zimbabweans surveyed in 2007 identified remittances as the "fourth most importance source of livelihood (UNDP 2008: p. 112 citing Mass Public Opinion Institute 2007)

struggle. We don't want all these extra people" (HR NGO Forum 2007: p. 6 citing ZANU-PF Politburo Secretary D. Mutasa, UK *Sunday Times*). Migration, more broadly, may help to ease of both political and economic pressures (Hirschman 1986: p. 93; Lichbach 1995: p. 107).

However, by 2008 its cumulative effect was becoming clear, and exacerbating the economic recovery challenges facing the members of the ZANU-PF regime (UNDP 2008: p. 111). Mass emigration may be seen as 'voting with their feet', and as the scale increased, it became more visible to others. As Pfaff discussed with reference to East Germany, the mass voluntary emigration, to neighbouring countries, was a signal of "...regime vulnerability, [it made] popular grievances manifest, and activate[d] pressure for reform" (Pfaff 2006: p. 29). For those remaining, the increasing pace and scale of emigration, may also have signaled that the 'worst is still to come', triggering 'voice' rather than inaction, as the costs of "...silently enduring the continuing deterioration of public goods is also high" (Pfaff 2006: p. 28 citing Lindenburg 1991; p. 145).

With no end in sight to an accelerating economic crisis, nor to the emigration of Zimbabweans, voluntary exit may have triggered voice (Pfaff 2006) – and the message of dissatisfaction was delivered to the governing regime on 29 March 2008 at the ballot box.

## **Summary**

This section of the dissertation brought together the dynamics of exit, voice and loyalty in the context of a single day of elections – March 29<sup>th</sup>, 2008. These elections

were noteworthy, both during the period of this dissertation, and in Zimbabwe's history, for the success of the political opposition, the MDC.

This synthesis section has highlighted several important shifts as compared to the earlier 'hurdles' of the elections earlier in this period. First, the cost of expressing 'voice' was declining, while the environment for the four freedoms that underpin the action-choice of 'voice' had become somewhat more permissive. Second, for many, the 'exit' option was closing. Mass emigration due to economic crisis (Madina 2010: p. 229) can reveal both a regime's vulnerability and the breadth of economic dissatisfaction (Pfaff 2006: pp. 29, 138). It also created new vulnerabilities for those who remained, as key social services collapsed during this period, due to both economic conditions and migratory factors. Third, the benefits of choosing the action-choice of 'loyalty' were reduced, for many of the effects of the economic collapse would affect those loyal to ZANU-PF, especially those who were not in a privileged or elite position.

Institutional reforms played a small role in these shifts. As discussed, the playing field was not 'levelled' but they did create openings for a 'fairer match' –indeed the March 29<sup>th</sup> elections were viewed as the most 'fair' since the political crisis began (Masunungure 2009a: p. 6). For the political opposition, greater freedom of movement, assembly and association was permitted, although challenges remained and freedom of expression on the public media was still constrained. Political violence still occurred, but as noted, signals that greater 'free-riding' was being permitted in the security sector, and the renewed enforcement of formal policing rules was again starting to occur. These too were shifts as compared to previous electoral rounds.



In an environment of economic collapse, free-riding will likely increase, with all of its negative implications for group success. There is "...no incentive to sacrifice any more than he is forced to sacrifice" (Olson 1971: p. 91). Both the material benefits of loyalty (inducements), as well as the *enforcement* of loyalty weakened, and, as a result, the 'State's Dilemma' was exacerbated for members of the regime.

The profound economic decline for those remaining in Zimbabwe and who had not left became a source of voice, i.e. voice as a residual of exit (Hirschman 1970: p. 34). Broadly shared and rising economic dissatisfaction created new pressures for 'voice', and the economic losses being experienced by most Zimbabweans became a source of mobilisation for change, for actors are "...far more likely to organise around a threatened or actual loss than around a potential gain" (Stone 2002: p. 220).

The March elections became a *mechanism* for communicating this voice (Hirschman 1970: p. 43), and one which helped to aggregate voice across the entire country, easing the coordination challenges faced by the MDC and its supporters. This section has highlighted Zimbabweans' increasing confidence in the electoral process in the weeks leading to the election (Ndapwadza and Muchena 2009: pp. 31-33), i.e. in their increasing confidence in the "... prospects for the effective use of voice" (Hirschman 1970: p. 37).

The dynamics of exit and voice were altered, particularly due to the economic collapse and the mass emigration it generated. However, institutional reforms played an important role in facilitating mobilisation, in lowering the cost of voice, and in increasing perceptions that voice could be effective. Zimbabweans, with their desire

for better rewards for themselves and their families, saw the opportunity that the March 2008 elections presented: "[e]conomic discontent translated into political discontent via the medium of the ballot box..." (Masunungure 2009b: p. 77). The members of the regime would not make that mistake in the second round run-off vote.

## Chapter Six: Conclusion

This eight-year period of the Zimbabwean history was unique, for ZANU-PF faced both unprecedented opposition and the challenge of repeated elections (the 'hurdle race'). Four national elections, either parliamentary or presidential votes, were the 'hurdles' during this 2000-2008 period. These realities created a very specific collective action problem for the members of ZANU-PF – the 'State's Dilemma' (Lichbach 1995). The challenge of retaining support when its supporters' interests lay otherwise, the elections process highlighted the dependency of the regime on Zimbabweans' choices. The Zimbabwean literature has not previously explicitly focused on this collective action problem, the dynamics of exit and voice, nor on the role of institutional reform in easing the same. This dissertation is therefore a contribution to the literature.

Institutional rules were fiercely contested during this period, as they had been under Rhodesian rule and the resulting liberation struggle. This dissertation has shown that institutions also mattered to the outcomes during this period. They were the 'rules of the game' (North 1990: p. 3) that had important distributional consequences (Knight 1992). From the late 1990s, both the members of ZANU-PF, the MDC, and their respective allies and supporters were engaged in significant contestation over institutional reforms, and its distributional consequences.

The referendum result of February 2000 was an important expression of preferences, by many Zimbabweans, for institutional alternatives that could generate different political outcomes. The NCA's efforts and their concerns for the democratic consequences of the rules of Zimbabwe's *Constitution* were important, both for their

awareness-raising and, their mobilising effects. The NCA campaigns and the referendum had demonstrated Zimbabwean's interest and engagement in issues of institutional reform, and had created an opportunity for them to influence the institutional reform process. This mobilisation, awareness-raising, and the referendum vote, had implications for the future expectations of many Zimbabweans. And it generated important uncertainty regarding future institutional choices and outcomes for the members of the ZANU-PF regime.

Institutional rules also matter for their contribution to explaining outcomes (Shepsle 1989: p. 135, emphasis added). This dissertation made visible this contribution, which has not been systematically assessed in the Zimbabwean literature to date. Strategic institutional reform is not the whole story, but it is part of it. This dissertation has, for example, demonstrated the institutional reforms that underpinned the amplification of ZANU-PF's patriotic narrative. Institutional rules may magnify or ease the collective action problems faced by each actor, and this dissertation has provided specific examples of how institutional reforms, strategically undertaken by the members of the ZANU-PF regime, has eased their own challenge or exacerbated the collective action problem of the MDC. This analysis adds explanatory value to our understanding of this unique period.

This dissertation has also contributed to the literature through its discussion of the centrality of these collective action problems to this institutional contestation in Zimbabwe. This dissertation has discussed how specific reforms eased or exacerbated the collective actions problems faced by ZANU-PF or the MDC, recognizing that the

"...[t]he relative capacity for solving and creating, diminishing and magnifying collective action problems decides the outcome of the game" (Lichbach 1995: p. 258).

Electoral success is a 'step-good' type of collective action problem (Hardin 1992: pp. 4, 59-61), with its binary nature. This author has argued that it has also both aggregated (across constituencies) characteristics and a time-bound nature, raising the hurdle 'higher'. The 'State's Dilemma' is a specific collective action challenge faced by members of a governing regime and it is their challenge of sustaining needed support in the face of collective dissent (demands for reform), when the interests of the state's supporters may align otherwise (Lichbach 1995: pp. 256-258). Its opposite is the Rebel's Dilemma, faced by the MDC during this period.

The Rebel's Dilemma is the challenge of the mobilisation of dissent, for uncertain public benefits and certain private costs incentivise inaction rather than action and participation (Lichbach 1995: pp. 15-16). Indeed, Lichbach argues that the 'Rebel's Dilemma' is "the origin of political repression" as regimes seek to intensify the Dilemma faced by their opponents (Lichbach 1994: p. 21).

This dissertation has examined these Dilemmas through the theoretical lens of rational choice institutionalism, collective action theory and the dynamics of exit and voice (Hirschman 1970, 1978, 1986). This approach adds to the diversity of theoretical frameworks which are already found within the literature on Zimbabwe. Rational-choice institutionalism is a theoretical framework that focuses analytically on decision-making, rules, collective action challenges, uncertainty, and role of institutions in the aggregation and structuring of choices. Its focus on the role of "...existing institutions structure individual and aggregate choice" (Levi, Cook *et al.* 1990: p. 15) allows for an

analysis of how the strategic choices of actors (individually, in organisations or in groups), are influenced, and shaped by, institutions themselves. Specific examples of the outputs of institutional reform, for example, narrowed permissions or new prohibitions, have been discussed.

The strategic institutional reforms, and their effects, undertaken during this turbulent time in Zimbabwe, have become more visible as a result of the theoretical lens of rational choice institutionalism. This dissertation examines the specific role of institutional reform, in two key sectors: print media and commercial agriculture; and, discusses the emergence of informal institutional rules in the area of public security and food aid distribution. This dissertation also demonstrates that strategic institutional reform altered the dynamics of exit and voice during this period of profound contestation over institutions and the outcomes that they produced in Zimbabwe.

As Hirschman originally argued (1970), there are three core action-choices available to individual (or collective) actors in situations of rising dissatisfaction – to exit, to give voice or to remain loyal. Each of these action-choices were discussed, along with the two mechanisms of information and sanctions (i.e. penalties) identified by Knight (1992) that help actors to formulate their expectations of other actors. Mobilisation, inducements (i.e. rewards and penalties), and veto or other powers, are amongst the strategies that may contribute to aligning expectations, and therefore choices and outcomes. Lichbach argued that "[t]he state, recognising a dissident's exit/voice option, uses accommodative and repressive response strategies to control the dissident's choice" (Lichbach 1995: p. 24). Strategic institutional reforms were made to

help control the choices of ZANU-PF's political opponents and to retain ZANU-PF's political support.

Chapter two discussed these three action-choices ('voice', 'exit' and 'loyalty'), highlighting how they interact with each other, and also discussing some of the key analytical developments within the conceptualisation of each action-choice. 'Voice' was discussed as 'vertical' (i.e. to authorities), 'horizontal' (i.e. amongst citizens or other actors) (Hirschman 1986: p. 82 citing O'Donnell 1986) or 'reformist' (i.e. to improve performance and/or responsiveness) (Pfaff 2006: p. 21). 'Exit' was discussed as either voluntary or forced. Situations where the 'exit' option was unavailable, and the different roles of 'voice' *vis-à-vis* 'exit' were also analysed and discussed, with specific reference to Zimbabwe. The action-choice of 'loyalty' was also examined, both in keeping with Hirschman's original conceptualisation of loyalty as the postponement (or deferral) of exit (1970: p. 104) as well (in chapter four) refining the concept further, through the integration of Dowding *et al.*'s contribution (2000: pp. 476-478) that usefully distinguished between the object of loyalty from the degree of loyalty. These distinctions allowed the questions of government performance versus love of country and demographics to be assessed in light of ZANU-PF's challenge of the State's Dilemma, and their own construct of loyalty.

The second part of the dissertation (chapters three through five, plus a synthesis section) explored each of these action-choices in more depth, and specifically the role of institutional reform (or stability) in manipulating the dynamics of 'exit' and 'voice'. Chapter three discussed how the action-choice of voice is the expression of dissent, and is thus a sub-set of the larger public debate which occurs. It analysed the institutional

reforms that were strategically introduced by the members of the governing regime to limit the private print media, and to restrict the four freedoms most important to collective mobilisation, and therefore to 'voice': the freedoms of expression, of assembly, of association, and, of movement.

Chapter four examined the challenge of retaining loyalty, needed in order to help solve the 'State's Dilemma'. The strategic deployment of both selective incentives (e.g. food aid, impunity and the protection from political violence) as well as penalties (e.g. targeted political violence), were discussed. Incentives and penalties are both important means of aligning choices to achieve preferred outcomes. The concept of free-riding, i.e. benefiting from the provision of a collective good without having participated in its production (Olson 1971: p. 91), was discussed. The members of the ZANU-PF regime took specific measures to reduce it (e.g. by increasing the monitoring of contributions), for free-riding has important negative consequences on the prospects of collective success.

Chapter five discussed forced 'exit' (displacement) in the commercial agriculture sector, and argued that forced exit, via the land seizures, helped to demonstrate political commitment, especially to rural Zimbabweans, easing ZANU-PF's collective action problem. Reforms transferred the choice of 'exit' from the farmers to the 'state', in the process both increasing the use of 'voice' and increasing the dependency of the farmers (and their workers) on the choices and decisions of the GOZ. A specific cost of exit, that is, compensation for the land itself, was central to the land debate, and decisions to not pay compensation lowered the cost of exit for the



ZANU-PF regime. Both the reductions in the cost of 'exit' and the transfer of the control of the 'exit option' were fundamental to the acceleration of land acquisition.

Across chapters three through five of this dissertation, the analysis has drawn specific attention to the powers of actor selection, of initiative and compulsion and the permissions and prohibitions altered or created through reforms. The identification of these powers and their effects on the dynamics of exit and voice is an advance on both Hirschman and Lichbach. These were the some of the outputs of the intentional processes of institutional reform, and they had important effects on outcomes, for by altering the dynamics of exit and voice they eased the ZANU-PF's collective action challenge. Despite the turbulence of this period under study, intentional reforms were adopted: reforms that helped to suppress voices of dissent, that constrained mobilisation by those opposed to the ZANU-PF regime, and that demonstrated commitment by forcing the exit of thousands of commercial farmers and farmworkers.

The prospective nature of rules eased ZANU-PF's coordination challenge for their effect would continue to felt at each future 'hurdle' or election. Once the rules were in place, they applied to future cases, easing ZANU-PF's collective action challenge. Examples from the media sector and its prohibitions on content and sectoral participation were discussed. In the security sector, the rules, formal and informal, eased ZANU-PF's coordination challenges as they communicated to agents and allies how cases (e.g. of protest) should be handled, and engaged actors in their enforcement. Rules also provide information to actors about permissions, prohibitions, incentives and penalties, affecting decision-making through, for example, the choices they incentivise and the deterrence they generate.

The strategic management of uncertainty, i.e. the use of intentional reforms to reduce uncertainty about outcomes was also discussed throughout the dissertation. Uncertainty is an important analytical factor emerging from rational choice institutionalism, given its effects on the evaluation of choices, decisions, and also the expected actions of other actors. This dissertation specifically discussed two types of uncertainty, the first, about an actor's future status *within* a group and, the second, the uncertainty about institutional alternatives and outcomes. This dissertation has demonstrated how institutional reforms contributed to reducing uncertainty for members of the ZANU-PF regime. For example, new rules in the media sector, that prohibited the development of private sector radio, ended the uncertainty that was generated by the Supreme Court decision that de-regulated the sector. The *Land Acquisition Act* (2000) not only mobilised political support in advance of the upcoming elections but also reduced the uncertainty about the rules governing land acquisition that followed the referendum result.

The synthesis section, which examined the elections of March 29th, 2008, brought these three action-choices together in a discussion about the dynamics of exit, voice and loyalty and the contribution of institutional reform to the outcomes. Whilst economic collapse was a very significant factor, this dissertation highlighted its impacts on the choice of voluntary 'exit', and the impacts of mass 'exit' on the mobilisation of voice. Incremental institutional reforms that enabled the MDC to more effectively campaign and mobilise support were discussed, while the weaker enforcement of loyalty within the police was also highlighted.

ZANU-PF's political narrative has received a great deal of attention within the literature on Zimbabwean crisis. As Ranger (2004) identified it was a narrowed and partisan distillation of Zimbabwe's history, dominated by the key themes of sovereignty, liberation, and race. It was also a sophisticated and powerful political framing of ZANU-PF's liberation history deployed in an electorally competitive environment. Chapter three analysed how this 'patriotic narrative' differed from the action-choice of voice in its substantive content, source, role and target.

This 'patriotic narrative' was a non-institutionalist strategy that had important mobilising effects for ZANU-PF, for it contributed to the mobilisation of both domestic and international support (Tendi 2008). It also contributed to the de-legitimisation of Zimbabwean voices of dissent, including those of the trade union movement, white Zimbabweans and the civic supporters of the MDC. The political use of liberation and struggle to help legitimate (or not) demands and access to resources (Kriger 2006), provides an important *interests-based* rationale for the narrative's mobilising success.

The framing of this patriotic narrative also explicitly evoked the language and imagery of war and struggle, through ZANU-PF's development of the concept of the *Third Chimurenga*. In consequence, this narrative appeared to create a more permissive environment for the political violence which occurred. This is also an example of how the 'patriotic narrative' served as a coordination mechanism. By communicating ZANU-PF's expectations, including to its allies and agents, it helped to facilitate the coordination of efforts, decisions and choices. It provided information across different geographical points and reduced uncertainty about ZANU-PF's

intentions and expectations. Coordination of expectations is particularly important in a decentralised, time-bound collective action problem such as the 'State's Dilemma' faced by ZANU-PF during this period. The coordination role of ZANU-PF's narrative is revealed by the use of rational choice institutionalism and collective action theory as analytical frameworks.

The patriotic narrative also focused on land, and the colonial period's legacy of inequitable land rights and distribution. As discussed, this framing was a successful one, for Zimbabweans did concur that the land question was an important issue. Land issues were important to two of ZANU-PF's key constituencies, i.e. rural Zimbabweans and the war veterans. Functionally, the land issue also helped to distinguish ZANU-PF from the more urban-based MDC.–

ZANU-PF's 'patriotic narrative' had important effects, but it was not deployed alone – it was accompanied by institutional reform. The narrative's effects arose not only from its own normative power, but also from the amplification that occurred through the state-owned media (print and broadcast sectors) and statements by senior members of the regime. As discussed, and documented by the MMPZ, its dominance was also due to the suppression of the voices of dissent.

As discussed in Chapter three, this dissertation analysed the intentional reforms undertaken to restructure the relations within the print media sector. These selected actors, narrowed permissions, increased the noticeability of action and strengthened penalties for non-compliance. Undertaken by members of the ZANU-PF regime the outcome was to sustain their distributional advantage in the private print media sector. Information problems exacerbate the challenge of coordination of both expectations

and actions. Restrictions on the flow, availability and reliability of information are help solve collective action problems by "...concentrat[ing] their attacks...on the dissident's supplies or input sources" (Lichbach 1995: p. 49 citing Leites and Wolf 1970: p. 76-78). For the members of the ZANU-PF regime, the uncertainty that was generated by the substantive journalistic content in the private media sector was reduced.

Institutional reforms also targeted the freedoms that underpin the action-choice of 'voice' and its aggregation. Each of these freedoms – the freedom of speech, of association, of assembly and of movement – is an institutional rule, and all are guaranteed in Zimbabwe's *Constitution*. During the period of this study, these freedoms, through their facilitation of mobilisation and aggregation of both 'horizontal' and 'vertical' voices of dissent, exacerbated the collective action challenge faced by the members of ZANU-PF regime.

The intentional reforms that were expressed in AIPPA and POSA, altered the incentives, prohibitions and penalties facing Zimbabweans. These narrowed what was permitted in terms of the practice of journalism and the freedom of expression, and they broadened the penalties for non-compliance. New requirements of licensing and accreditation not only encouraged compliance but provided members of the regime with opportunities to force 'exit' and increased the dependency of those in media sector on the regime's decisions. Criminal and financial penalties were introduced along the entire publishing chain. The adoption, and later amendment, of these two *Acts*, were the outputs of intentional reform processes. And they restructured relations to suppress dissenting voices, including through either voluntary or forced exit.

The 'no-go' zones that were established across many constituencies were communicated and enforced as informal rules that *de facto* created restrictions on the freedoms of association and movement. These restrictions narrowed the permissions inherent in the freedom of movement, by limiting its geographic scope, the population entitled to enjoy the freedoms (despite constitutional protections for all citizens), and/or by limiting the *purposes* for which freedom of movement was allowed. So many 'no-go' zones, in so many districts were the result of strategic decisions taken and communicated to ZANU-PF's allies or agents (e.g. war veterans, youth militia members).

This dissertation argued that informal rules differ in three important ways from the simple, non-enforcement of formal rules. First, they communicate new rules that specifically structure and/or alter relationships between specific groups of actors (e.g. the youth militia and the police). Second, these informal rules may provide new permissions that differ from those provided under the formal rules. These permissions may include new freedoms, roles or entitlements. Third, the decision-making sphere and the scope for creating informal rules is different than that where formal rules, and their enforcement, are decided.

The 'no-go' zones, the impunity offered to ZANU-PF's allies engaged in political violence (chapter four), and the partisan distribution selective incentives (e.g. food aid purchased with state funds), are all examples of informal rules. They were informal rules emerged through intentional and strategic decisions by members of the regime, and were not decided by Parliament, nor effected through formal processes (e.g. amendments to the *Police Act*, gazetting). These informal rules were discussed,

including with reference to their effects on the effectiveness of the MDC's mobilisation, and their benefits in terms of easing ZANU-PF's dilemma.

Chapter four focused on two specific strategies to that ease collective action problems: the strategic use of inducements (i.e. incentives and penalties) as well as the management of the free-riding problem. Inducements and reducing free-riding are strategies to align choices, an outcome needed for the State's Dilemma to be sufficiently resolved for the 'step-good' to be achieved. One of the research lines of enquiry asked 'how did reforms to rules alter the incentives and penalties faced by actors' and this chapter examined the regime's use of informal rules to strategically alter penalties and incentives in order to retain the electoral loyalty of both their agents ( e.g. youth militia) and of Zimbabweans.

This discussion complements that in chapter three which discussed strategies of actor selection and the exit option. Compliance was encouraged via a narrowing of permissions and the introduction of stronger, tougher penalties. The reward of protection from political violence, either as victims or as perpetrators; the use of political violence as a penalty (punishment) for disloyalty, and as a disincentive for future disloyalty; the strategic distribution of material benefits (selective incentives), particularly the allocation of food aid were all discussed.

Rational actors, in situations of strategic interdependency, may offer selective incentives to encourage specific outcomes. If so, they will want to reduce free-riding via demands for specific demonstrations of loyalty and through strategies to increase the visibility, i.e. noticeability, of contributions via monitoring and control measures. This dissertation has discussed examples of ZANU-PF's demands and contributions of

loyalty, including access to (or denial of) food aid as well as votes in exchange for employment or promotion/demotion.

Monitoring mechanisms and enforcement measures are also needed to reduce free-riding and/or non-compliance with these demands. Informal rules that target enforcement, against 'enemies' or 'sell-outs' communicated, to members and supporters of the ZANU-PF regime, that action to address disloyalty was being taken.

Enforcement actions that are strategically timed (discussed below) may amplify these effects, particularly when the collective action itself is one that is time-bound. For the members of the regime, targeted enforcement helped to address their collective action problem through the retention of support, as well as suppression of opposition..

The action-choice of loyalty differed from genuine support for ZANU-PF, as, recalling, the action-choice is the deferral of exit in situations of dissatisfaction or dissent. This definition clearly indicates that the action-choice is with the actor or citizen, rather than 'management' or the 'authorities'. As argued, to remain loyal, in a time-bound, collective action situation is a decision by rational actors, one that takes into account the costs and benefits of this action-choice and those of the other alternatives available.

This action-choice also differed from ZANU-PF's own views on 'loyalty', anchored in their historical achievement of majority rule, and framed by their liberation struggle. ZANU-PF's own constructed view of the liberation struggle and revolution would not recognize the distinction between the separation of object and degree of loyalty identified by Dowding *et. al.* (2000: p. 477). As Southall (2013: p. 70) argues there was a "...continuing belief in ZANU-PF that politics in Zimbabwe are essentially



an extension of the liberation struggle and consequently that they are the only party with the 'right' to govern". Very broadly, this view conflates democracy with the transition to majority rule and loyalty to ZANU-PF and loyalty to the nation (Southall 2013: p. 68-71). ZANU-PF's constructed view of loyalty, based on their historic achievement and the liberation struggle, appears to discount the potential for other factors, e.g. economic aspirations or a desire for change, to provide the basis for mobilisation and agency.

However, this view of loyalty is offset by the undisputable reality of ZANU-PF's *repeated, voluntary decisions* to compete in democratic elections, as well as their maintenance of rules that permitted the existence of a legal, political opposition. From an institutionalist perspective, ZANU-PF chose to maintain formal rules that permitted opposition, and acknowledged the same through its decisions to electorally compete. Throughout this period of profound contestation, and the institutional instability it generated for the members of the ZANU-PF regime, the MDC (or other parties) were not banned (although they were suppressed and targeted through political violence). Although many other intentional reforms were also made to suppress the action-choice of voice, including the prohibitions and penalties did restrict its mobilisation and aggregation, these reforms did not go so far as to extinguish the aggregation of this voice through alternative political parties.

For this author, one of the puzzling questions arising of this 2000-2008 period is why ZANU-PF chose to compete in the 'hurdle race' of this period. Chan (2011: p. 100) attributes the decisions to hold elections during this period to reputational reasons, i.e. to "validate" ZANU-PF's historical achievements and their vision, while Matyszak

(2010: p. 46) states that they were simply opportunities for Zimbabweans to express "fealty and obeisance to power". The answer(s) are important to both the larger discussions about the characteristics of ZANU-PF as a liberation movement holding power, and also to the institutionalisation of democratic governance in Zimbabwe.

This dissertation identified, in the public opinion polling data, how Zimbabweans, at the start of this period, recognized, and valued, many of the institutions of liberal democracy (Chikwanha-Dzenga *et. al.* 2001: p. 10 Table 2). Over 70 percent of those surveyed preferred democracy as a mode of governance and 74 percent *rejected* a one-party model (*ibid*: pp. 6-7). The demographic data presented highlighted (Chart 4) that the majority of the population, by 2002, were born, or came of age, since independence. For many of these Zimbabweans, the constitutional rules were the 'rules of the game'. This institutionalist analysis has discussed that the 'rules of the game' allowed for multiple players, and through the institutional rules of the freedoms of expression, association, movement and assembly, the space for civic and political opposition to exist.

This dissertation has also discussed how the 'rules of the game' were then 'tilted' by ZANU-PF in their favour through intentional reforms. ZANU-PF's views on their own right to govern arising from the liberation struggle, may provide the motivation (or the 'why') for their actions. Without question they also had public support, but they also chose to compete in the processes of democratic governance and its underlying principles of constitutionalism. The decision to participate, whatever the motivation, was recognition of the legitimacy of these rules. This recognition, helped to drive some of the contestation during this period.

## **Contribution to the Literature and Areas for Further Research**

The dissertation has identified the reality that the members of the ZANU-PF regime faced a very specific collective action problem, the 'State's Dilemma', during this unique eight-year period of Zimbabwean history. It has shown that institutional reforms, the outcome of intentional decision-making by the members of the ZANU-PF regime, were an important part of this turbulent period. These reforms were an important means to alter exit-voice dynamics, easing the collective action problems faced by a regime seeking to retain its hold on power, despite significant domestic dissent.

Of note, the focus on distributional advantage as a driver of either institutional reform, or the maintenance of institutional stability (Knight 1992) provided important explanatory value in understanding the strategic actions of the members of the ZANU-PF regime. The introduction of Hardin's assessment of electoral victory as a 'step-good' was also an advance – given that the Zimbabwean crisis was marked by four distinct national elections in the eight year period under assessment in this dissertation. This dissertation drew attention to the specific characteristics of the 'step-good' of electoral victory, that is, a collective action challenge that has a fixed timeline, and is the aggregation of both individual actions (i.e. votes) and localised (i.e. constituency) challenges that must be simultaneously achieved through coordinated action. The attention to these characteristics that helped to reveal both the coordination that occurred across space and time, and the strategic timing of both key incentives and penalties.

The dissertation has contributed to an understanding of exit-voice dynamics by examining institutional reforms and collective action dynamics *within specific sectors* (e.g. media, commercial agriculture) and *within* a single developing country. As such, this dissertation opens up new areas for further research, either comparatively across other countries facing similar situations of collective dissent, across the other countries of Southern Africa led by the former liberation movements. Comparative studies on institutional reforms within a single sector such as the media market may also be of value.

This dissertation has added to the existing research on the Zimbabwean crisis through its innovative application of a rational choice institutionalist framework, the collective action challenge of the 'State's Dilemma', and Hirschman's action-choices of exit, voice and loyalty, to the specific examination of Zimbabwe's political crisis. The Zimbabwean case appears to support Pfaff's (2006) assertion that mass, voluntary exit, can become a trigger for voice, and thus also of Hirschman's argument that voice may serve as a residual of exit (1970: pp. 34-37).

The strategic use of institutional reform altered the rules that structure the interactions between actors, including in future instances, as rules are prospective. The accompanying sanctions (penalties) for non-compliance, incentivised compliance, as rational actors, in an economic environment of increasing impoverishment, so to avoid those costs, whether financial (e.g. fines), legal (e.g. imprisonment), or physical (e.g. displacement, political violence). As such, the transaction costs for the regime were reduced. This analysis may be valuable for future researchers examining other electoral crises or other sectoral reforms where costs and compliance are important.

Across the sectors examined, and the action-choices, discussed, the identification of the powers of actor selection are perhaps the most important in terms of collective action research more broadly, and exit-voice dynamics in particular. For it is this power, that may increase the dependency of one actor on another, thus incentivising compliance or loyalty. This power of actor selection is also the power – as seen in this dissertation – to force exit, i.e. to remove those expressing voice, those supporting reform, or wavering in their electoral commitment to ZANU-PF. The power to force exit is one that dramatically restricts the choices available to the actor(s) being 'exited', while reducing uncertainty faced by the other actors. Forcing exit may resolve challenges relating to group size, may increase the benefits (rewards) arising from group membership, and/or facilitate coordination and mobilisation by the removal of 'dissenters'. The 'State's' power to select actors, and therefore to force exit, provides it with a significant advantage in intensifying the 'Rebel's Dilemma'.

Additional research arising from this institutionalist discussion, would be to assess, whether, and to what extent, the narrative of patriotic history, may have become, nearly two decades later, institutionalised. Both the scope and time-frame, of this study are too narrow to assess this question. However, this future research would offer not only new insights into Zimbabwe, but also be of wider theoretical value in terms of understanding if, how, and under what conditions, narratives may become institutions. An additional area of further research would be to assess, in greater detail, the communication of patriotic history as *a causal story* (Stone 1989; 2002). This assessment, with its focus on the definition of political problems and the *consequent implications for policy alternatives*, would complement other analysts' valuable

assessments on the development and effects of patriotic history. It may perhaps contribute additional explanatory value in understanding the challenges of responding to it in an electoral context.

This dissertation has focused on strategic institutional reforms, by members of the governing ZANU-PF regime that *de facto* altered the dynamics of exit and voice in Zimbabwe (2000-2008) – to the distributional advantage of the regime. It has contributed to the collective action literature via its focus on the 'State's Dilemma', and by its attention to the specific nature of the collective action challenge ('step-good') that is an electoral victory. Because institutions matter' to outcomes, this framework, and also the dynamics of exit and voice, discussed in this case study of Zimbabwe's political crisis (2000-2008), may be relevant to the study of other countries, in Southern Africa or elsewhere. It may contribute to future studies analysing the governance of former liberation movements, including the internalisation (or not) of the elements of constitutionalism.

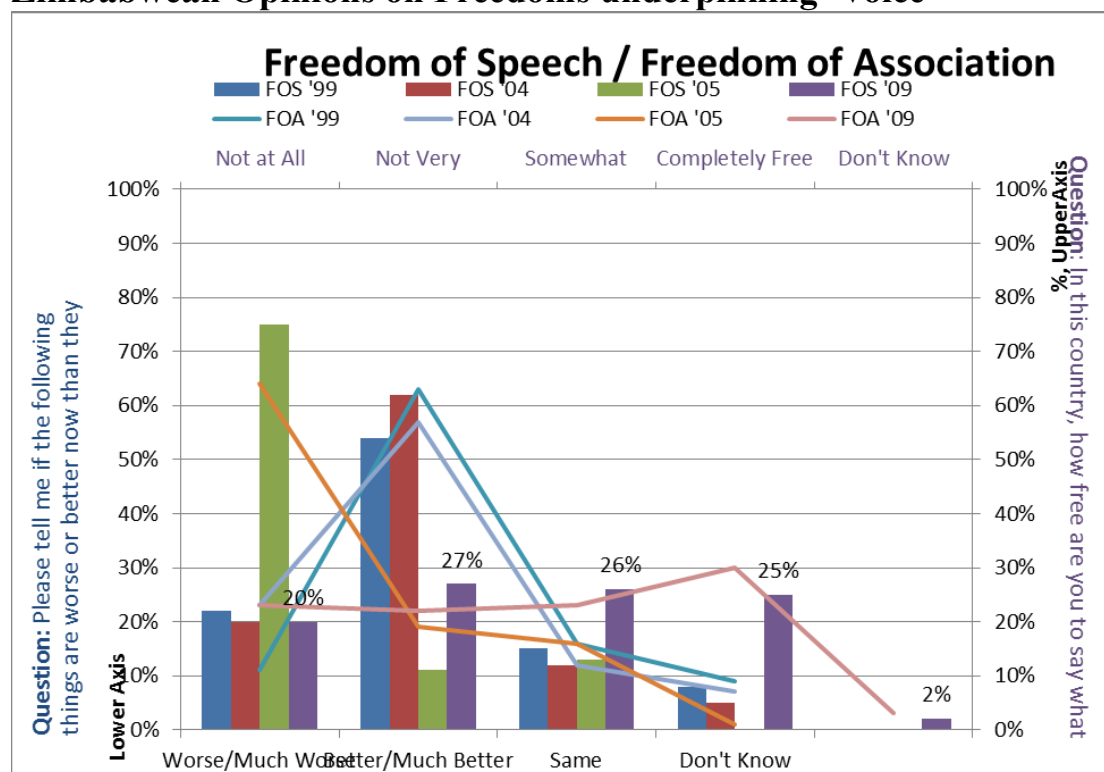
## Charts and Tables

**Table 1: Zimbabwean National Election Results 2000-2008**

Date of Election	Type of Election(s)	Results ZANU-PF/ Presidential candidate	Results MDC/ Presidential candidate	Seats: Other parties or Independent/ Presidential candidate(s)	Valid Votes Cast / (Percent of Voter turnout)
24-25 June 2000	Parliamentary	62	57	1	2 506 973 (N/A)
9-11 March 2002	Presidential	Robert Mugabe 56.06%	Morgan Tsvangirai 42.1%	1.84% amongst three other parties	3 046 891 (53.89%)
31 March 2005	House of Assembly Senate	78 43	41 7	1	2 634 645 (47.66%) 610 295 (19.49%)
29 March 2008	House of Assembly	97	99 -MDC-T 10 -MDC-M	1	N/A
	Senate	30	24 -MDC-T 6 -MDC-M		N/A
	President	Robert Mugabe 1 079 730 (43.24%)	Morgan Tsvangirai 1 195 562 (47.87%)	Simba Makoni 207 470 (8.31%)	2 497 265 (N/A)

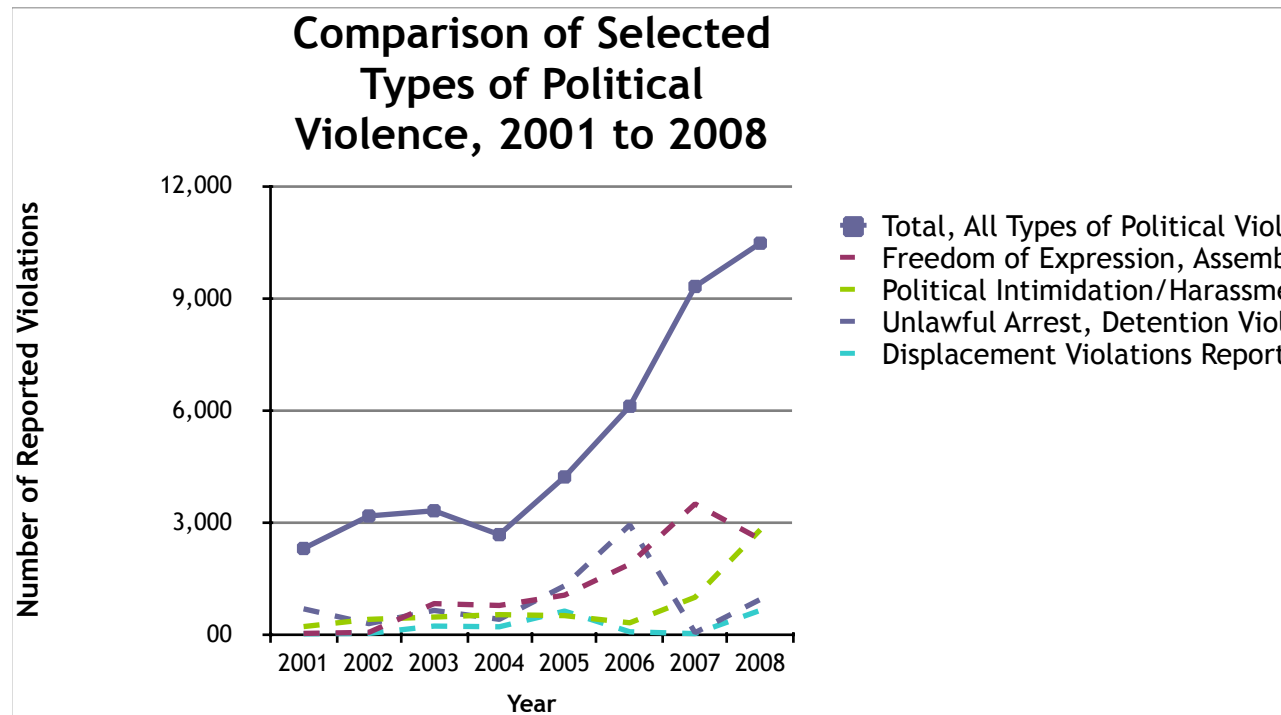
Chart 1:

## Zimbabwean Opinions on Freedoms underpinning 'Voice'

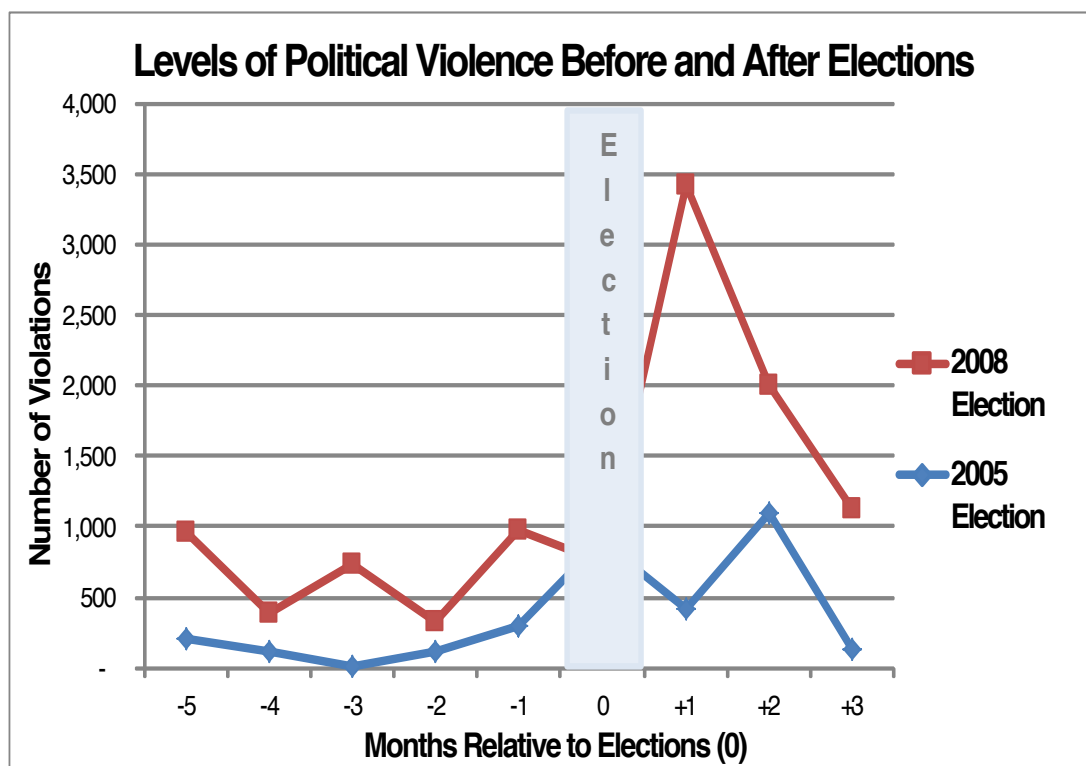


Source: Chikwanha-Dzenga *et. al.* 2001: p. 10-11



**Chart 2:**

All data from the Zimbabwe Human Rights NGO Forum "Monthly Political Violence Report December 2008" pp. 16-18 Table 2

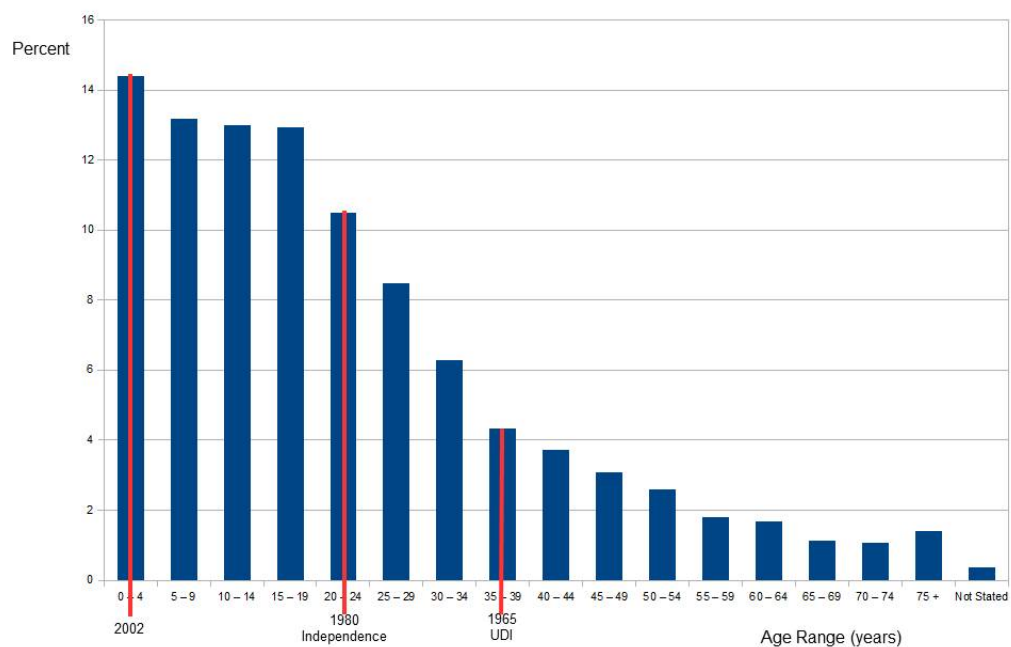
**Chart 3:**

All 2007 data from the Zimbabwe Human Rights NGO Forum "Political Violence Report 2007" p. 10 Table 1.

All 2008 data from the Zimbabwe Human Rights NGO Forum "Monthly Political Violence Report: December 2008" p. 15 Table 1

## Chart 4 – Zimbabwean Population Structure and Milestones

2002: Zimbabwean Population Structure and Political Governance Milestones



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